

*Library of Congress 1786.*

# THE AMERICAN HISTORICAL REVIEW

*BOARD OF EDITORS*

FRANCIS A. CHRISTIE  
WILLIAM E. DODD  
SIDNEY B. FAY

GUY S. FORD  
EVARTS B. GREENE  
J. FRANKLIN JAMESON

*MANAGING EDITOR*

J. FRANKLIN JAMESON

VOLUME XXX  
OCTOBER 1924 TO JULY 1925

LIBRARY  
Coast Artillery  
School

NEW YORK  
THE MACMILLAN COMPANY  
LONDON: MACMILLAN AND CO., LTD.

1925

M  
E 171  
Tm 2  
V. 30

YAMAHA  
YAMAHA T2400  
LOGIC

LANCASTER PRESS, INC.  
LANCASTER, PA.

# CONTENTS OF VOLUME XXX

NUMBER 1. OCTOBER, 1924

## ARTICLES

THEODORE F. T. PLUCKNETT  
HAROLD TEMPERLEY

The Case of the Miscalculation of  
Canning and the Conferences of  
the Four Allied Governments at  
Paris, 1823-1826 . . . . . 16

JAMES A. JAMES

French Opinion as a Factor in  
preventing War between France  
and the United States, 1795-1800 44

HELEN T. CATTERALL

Some Antecedents of the Dred  
Scott Case . . . . . 56

## NOTES AND SUGGESTIONS

ARTHUR L. DUNHAM

Chevalier's Plan of 1859: the Basis  
of the New Commercial Policy  
of Napoleon III. . . . . 72

H. BARRETT LEARNED

The Sequence of Appointments to  
Polk's Original Cabinet: a Study  
in Chronology, 1844-1845 . . . 76

DOCUMENTS—American Choices in the Far East in 1882, contributed by

Tyler Dennett . . . . . 84

REVIEWS OF BOOKS . . . . . 109

COMMUNICATION . . . . . 187

HISTORICAL NEWS . . . . . 189

NUMBER 2. JANUARY, 1925

## ARTICLES

CHARLES M. ANDREWS  
CARL F. BRAND

These Forty Years . . . . . 225  
The Conversion of the British  
Trade-Unions to Political Ac-  
tion . . . . . 251

ORLANDO W. STEPHENSON  
JAMES L. SELLERS

The Supply of Gunpowder in 1776 271  
An Interpretation of Civil War  
Finance . . . . . 282

## NOTES AND SUGGESTIONS

ARTHUR S. AITON  
LEONARD L. MACKALL

The Later Career of Coronado 298  
The Source of Force's Tract "A  
Brief Account of the Establish-  
ment of the Colony of Georgia,  
under Gen. James Oglethorpe,  
February 1, 1733" . . . . . 304

GEORGE H. HAYNES

"President of the United States  
for a Single Day" . . . . . 308

DOCUMENTS—From the Autobiography of Herschel V. Johnson, 1856-1867 311

REVIEWS OF BOOKS . . . . . 337

COMMUNICATION . . . . . 406

HISTORICAL NEWS . . . . . 410

OCT 11 '26

## NUMBER 3. APRIL, 1925

## ARTICLES

PAUL KNAPLUND	The Meeting of the American Historical Association at Richmond . . . 451
GEORGE H. RUPP	Finmark in British Diplomacy, 1836-1855 . . . . . 478
EDWARD S. CORWIN	The Reichstadt Agreement . . . 503
	The Progress of Constitutional Theory between the Declaration of Independence and the Meeting of the Philadelphia Convention . . 511

## NOTES AND SUGGESTIONS

HAROLD M. BAER	An Early Plan for the Development of the West . . . . . 537
JAMES T. ADAMS	Disfranchisement of Negroes in New England . . . . . 543
HOWARD K. BEALE	Is the Printed Diary of Gideon Welles Reliable? . . . . . 547

DOCUMENTS—Instruction and Note of Robert Smith, 1810, 1811, contributed by Bernard C. Steiner; The Escape of Louis Philippe, 1848; Pearl Harbor, 1873, contributed by Capt. Elbridge Colby, U. S. A.	553
REVIEWS OF BOOKS . . . . .	566
HISTORICAL NEWS . . . . .	660

## NUMBER 4. JULY, 1925

## ARTICLES

ANNA L. LINGELBACH	The Inception of the British Board of Trade . . . . . 701
CHARLES K. WEBSTER	The Study of British Foreign Policy (Nineteenth Century) . . . 728
ULRICH B. PHILLIPS	Plantations with Slave Labor and Free . . . . . 738
LESTER B. SHIPPEE	Germany and the Spanish-American War . . . . . 754

DOCUMENTS—Talleyrand and Jaudenes, 1795; Autobiography of Omar ibn Said, 1831 . . . . .	778
REVIEWS OF BOOKS . . . . .	796
HISTORICAL NEWS . . . . .	875
INDEX . . . . .	915



The  
**American Historical Review**

THE CASE OF THE MISCREANT CARDINAL<sup>1</sup>

IT is difficult to suggest a reason why so striking and picturesque a case as that of the Miscreant Cardinal in 1382-1383 should have remained in print for four hundred years in a well-known repository of law reports without exciting a single word of comment from the lawyers and controversialists who have sought argument and precedent within the famous pages of Fitzherbert's *Graund Abridgement*.

Taking the story as it stands in Fitzherbert (for there are no other independent published reports of this portion of Richard II.'s reign),<sup>2</sup> we learn that the king brought an action of *Quare impedit* to recover the right of making a presentation to an unnamed church in the diocese of Durham, the defendant, or, as they said then, the impedient, being the parson *de facto*, whom our report simply designates as "P". The tale the king's sergeant told was that the church was of the patronage of the bishops of Durham, that the pope had put in a certain cardinal (unnamed in our report) by provision, and that this cardinal became a miscreant, the church thereby falling vacant. Moreover, since this vacancy occurred while the see of Durham was likewise vacant and its temporalities in the king's hand, it was for the crown to exercise the prerogative of presenting for that occasion in the right of the vacant see. Hereupon there occurred a remarkable debate, in the course of which several notable observations were made which will claim our attention.

Before going into the law of the case, however, it will be interesting to try to identify some of the persons involved, and to pierce the veil of anonymity with which Fitzherbert's report enshrouds them. In the library of Lincoln's Inn there is a manuscript Year Book<sup>3</sup> which gives a report of this case in almost the same words as Fitz-

<sup>1</sup> A paper read at the meeting of the American Historical Association at Columbus, Dec. 27, 1923.

<sup>2</sup> *Triall*, p. 54. The report in Bellewe, p. 325, is merely a reprint of Fitzherbert.

<sup>3</sup> MS. Hale 77. I have used the rotograph facsimile in the Harvard Law Library.

herbert, with the valuable addition for us of the full name of the impediens, and so we learn that "P" is a certain Peter Galoun. From this one fact all the rest can be derived. From the patent rolls it appears that in the year in which the case closed, this Peter Galoun obtained the king's ratification of his estate in the church of Wearmouth<sup>4</sup>—a frequent mode of settling actions of this sort. Wearmouth is in the diocese of Durham, and so is the church concerned in our case.<sup>5</sup> From the same source we learn that the king made several prerogative presentations to this church in July, 1381,<sup>6</sup> from which it is clear that their failure of success provoked the king to bring this action which occupied the next year, 1382,<sup>7</sup> while in March, 1383, Galoun received the ratification of his estate. Finally, it is equally certain that Thomas Hatfield, who had been bishop of Durham since 1345, died on May 8, 1381,<sup>8</sup> the see remaining vacant until the following October,<sup>9</sup> the king in the meanwhile having attempted to exercise his prerogative in favor of Lynton, Packington, and, in 1382, Trofford.

As for the Miscreant Cardinal, neither Fitzherbert nor the Lincoln's Inn manuscript discloses his identity, but the industry and erudition of the county historians have provided us with a partial list of the incumbents of Wearmouth, from which we learn that at least twice in the fourteenth century it had been honored with a prince of the Church as its rector; Simon, cardinal of St. Sixtus, occupied it from 1370 until he resigned in 1372, and he was succeeded—almost immediately, it would seem—by the Lord Robert of Geneva, cardinal priest of the Basilica of the Twelve Apostles, who is mentioned as rector in Bishop Hatfield's register under the date 1375.<sup>10</sup> Robert's abilities were so considerable that the larger stage of European politics claimed all his attention, and the rich, perhaps, but remote parish in the north never saw its illustrious rector. Perhaps he felt little love for England since another of his English benefices—the treas-

<sup>4</sup> *Calendar of Patent Rolls, Richard II.*, II. 237.

<sup>5</sup> It is later called Bishop Wearmouth to distinguish it from Monks' Wearmouth, which was not in the gift of the bishop but of the dean and chapter. Surtees, II. 11; Hutchinson, II. 511.

<sup>6</sup> Thomas Lynton was presented on July 18, 1381 (*Cal. Pat., Rich. II.*, II. 28), the patent being subsequently surrendered; William Packington was presented on the 28th (*ibid.*, p. 31); and William Trofford on July 17, 1382 (*ibid.*, p. 154).

<sup>7</sup> The date is given as Mich. 5 Ric. II. (1381) by Fitzherbert, and as Mich. 6 Ric. II. (1382) by MS. Hale 77; the litigation may well have extended over both years.

<sup>8</sup> *Dictionary of National Biography* (reissue), IX. 155.

<sup>9</sup> Rymer, VII. 333.

<sup>10</sup> Surtees, I. 231; Hutchinson, II. 512; Hatfield's register has not been printed.

urship of York—was wrested from him by a royal favorite in 1375.<sup>11</sup> However, greater things were in store for him. Allied by birth with many of the royal and princely houses of Europe,<sup>12</sup> and remarkable for his personal bravery and military skill, he nevertheless possessed as well those qualities which made him an astute and successful figure in ecclesiastical affairs. Preferment fell upon him rapidly; lord of Geneva, bishop of Thérouanne, chancellor of Amiens, bishop of Cambrai, cardinal, legate in Lombardy—these were only some of the titles of the rector of Wearmouth, until in 1378 he reached the zenith of his fortune. It was on the 20th of September, at Fondi, that the cardinals who had elected Pope Urban VI. repented of their choice, declared that they had acted under fear of their lives, and set in his place the Cardinal Robert of Geneva, who took the name of Clement VII. and reigned at Avignon until his death in 1394.<sup>13</sup> Antipope is a word our Year Books refuse to utter, and so the courts of England know him simply as the miscreant cardinal.

These then are the characters hidden beneath the cautious reticence of the reports, which must now receive a more detailed discussion. The text of the Hale manuscript here reproduced is collated (as to the more material variations) with that in Fitzherbert's *Abridgement*, and accompanied by a translation, for the first time it is believed.

MS. Hale 77, f. 189.

Translation.

<sup>14</sup> Le Roi porta quare impedit <sup>14</sup> vers <sup>15</sup> P. Galoun <sup>15</sup> clerck dun esglise deinz le Eveschie de Duresm et counta coment levesque qui mort est presenta un son clerck et le clerck murust et <sup>16</sup> lappostail et noma qui etc. fist <sup>16</sup> collacion a un Cardinall et noma son non et par cause de mescreantise et sismatise lesglise se voida esteant les temporalties en la mayn le Roi. Issint appent a Roi a presenter.

Burgh <sup>17</sup> <sup>18</sup> defendit tort et force et demanda jugement si le court voet conistre quar <sup>18</sup> il ad counte

The king brought *Quare impedit* against P. Galoun, clerck, of a church in the diocese of Durham and counted how the late bishop presented one of his clerks, who died, and the pope (and he said which) collated a cardinal (and he told his name), and because of misbelief and schism the church fell void while the temporalities were in the king's hand. And so it is for the king to present.

Burgh denied tort and force and demanded judgment whether the court would take cognizance for he

<sup>11</sup> Le Neve, III. 160–161. He was also archdeacon of Dorchester; *Calendar of Papal Registers, Letters*, IV. 188.

<sup>12</sup> Noël Valois, *La France et le Grand Schisme*, I. 81.

<sup>13</sup> Eubel, I. 367, 166, 38, 26, 21.

<sup>14</sup> *Quare impedit* par le Roy. F.

<sup>15</sup> Un P. F.

<sup>16</sup> Cap' fuit. F.

<sup>17</sup> Brugh. F.

<sup>18</sup> Omitted in F.

dun voidance del esglise par cause de mescreantise dun Cardinal al court de Rome quel chose nest pas triable <sup>19</sup> cy et demanda jugement ut supra.<sup>19</sup>

BELKNAP. Ieo vous die pur certain que le court auera conistre de ce plee et ceo ieo prouera par resoun quar tout le court christien est un court et si un home en le Arche cy en ce terre soit arette dun certain cryme pur que il est privable et post il appelle al court de Rome et est prive la <sup>20</sup> ce privacion est triable en le court le Roi auxi bien come <sup>21</sup> sil ust este prive en lez Arches quant tout est un court. Et si un <sup>22</sup> home soit aherdant as enemys le Roi en France sa terre est forfaitable et sa enherdance serra trie lou la terre est come il ad este sovent foitz fait <sup>23</sup> de aherdance <sup>23</sup> as enemys le Roi en escoce. Et <sup>24</sup> si un <sup>25</sup> home soit mescreant sa terre est forfaitable et le seigneur <sup>26</sup> auera par voie deschet et resoun le voet quar si un <sup>27</sup> home soit hors de la <sup>28</sup> foy <sup>29</sup> son lige seigneur <sup>30</sup> sa terre est forfaitable ergo <sup>31</sup> a multo forciori lou <sup>32</sup> un home <sup>32</sup> est <sup>33</sup> en contra le soveraign <sup>33</sup> dieu et ce jura BELKNAP pur ley. Pourquoi, *Burgh*,<sup>34</sup> respondez.

<sup>35</sup> Et post *Burgh* dit que <sup>35</sup> lesglise se voida en tems levesque qui mort

has counted of a voidance of the church through miscreance of a cardinal at the court of Rome which thing is not triable here, and he demanded judgment as above.

BELKNAP, C. J. I tell you the Court will certainly have cognizance of this plea, and I will prove it by reason, for all the Court Christian is one court, and if a man in the Arches here in the land be charged with a certain crime for which he is deprivable, and appeal to the court of Rome and be deprived there, then that deprivation is triable in the King's Court just as if he had been deprived in the Arches, for it is all one court. And if a man be adherent to the king's enemies in France his land is forfeitable and his adherence shall be tried where the land is, as has often been done in the case of adherence to the king's enemies in Scotland. And if a man be miscreant his land is forfeitable and the lord shall have it by way of escheat; and reason requires it, for if a man be out of the faith of his liege lord his land is forfeitable, therefore *a multo fortiori* where he is against the sovereign God; (and BELKNAP swore that this was the law). And so, *Burgh*, answer.

And afterwards *Burgh* said that the church became void in the time

<sup>19</sup> cieinz, par que jugement si la court voille conustre. F.

<sup>20</sup> de la. F.

<sup>21</sup> Om. F.

<sup>22</sup> Om. F.

<sup>23</sup> des adherauntz. F.

<sup>24</sup> sir, par ma foy—added in F.

<sup>25</sup> Om. F.

<sup>26</sup> ceo—added in F.

<sup>27</sup> Om. F.

<sup>28</sup> Om. F.

<sup>29</sup> de—added in F.

<sup>30</sup> Roy—added in F.

<sup>31</sup> Om. F.

<sup>32</sup> il. F.

<sup>33</sup> hors de foy de. F.

<sup>34</sup> Brugh. F.

<sup>35</sup> Brugh, sir. F.

est, et nous fumus parson enparsonne en tems mesme cesti Evesque del provision <sup>36</sup> Gregoire le XI<sup>e</sup> <sup>36</sup> etc. saunz ceo que lesglise se voida par mescreantise le Cardinall ut supra esteantz les temporalties en la mayn le Roi. Prest, etc. Et alii e contra pro Rege. Et venire facias agarde al viscounte <sup>37</sup> de visneto <sup>37</sup> ou lesglise fut et nient al evesque de Duresme ne a son Senescal ne baille. Et dit fut que mescreantise serra trie lou lesglise est, et privacion fait al <sup>38</sup> court de Rome auxi, etc.<sup>39</sup>

of the late bishop and we were parson imparsonnee in his time, too, by provision of Gregory XI., etc., without this that the church became void by the miscreance of the cardinal *ut supra* while the temporalities were in the king's hands. Ready, etc. And the others for the king said the contrary. And *venire facias* was awarded to the sheriff of the vicinity where the church was, and not to the bishop of Durham, his steward or bailiff. And it was said that miscreance shall be tried where the church is, and deprivation at the court of Rome similarly, etc.<sup>40</sup>

First of all let us examine the chronology of the king's claim. His title could only arise while the see was vacant and the temporalities in his hands—that is, between May 6 and October 23, 1381. If Wearmouth church did not become or continue to be vacant during this period, then the king's case falls immediately. The cause of the vacancy he alleges, however, took place three years previously, for Robert was elected pope September 20, was crowned on October 31,<sup>41</sup> and was excommunicated and declared a heretic in December, 1378.<sup>42</sup> If his miscreance caused the vacancy of the church then it had occurred before the beginning of the new year, 1379. But the see of Durham (patron of the living) did not fall vacant until two and a half years afterwards: only if Wearmouth church remained unfilled either by pope or bishop during those two and a half years could the king claim a presentation. On the face of it, this is extremely unlikely. The impedient's story, on the other hand, is simple and consistent. He asserts that he has been parson imparsonnee ever since his provision by Gregory XI.<sup>43</sup>—who died March 28, 1378, more than

<sup>36</sup> le Pape. F.

<sup>37</sup> del counte. F.

<sup>38</sup> del. F.

<sup>39</sup> et ceo appert par cest ple icy par le jugement etc. quod nota. F.

<sup>40</sup> and this appears from this plea by the judgment, so note well. F.

<sup>41</sup> Eubel, I. 26.

<sup>42</sup> Raynaldus, VII. 362.

<sup>43</sup> As early as 1363 and 1366 Peter Galoun was petitioning the pope for preferment in the diocese of Durham (*Cal. Pap. Reg., Petitions*, I. 434, 520). But I have been unable to find the provisions of Cardinal Robert and Peter Galoun to the church of Wearmouth in the *Calendars*. From these documents we learn incidentally that Peter was *alias* "de Castro", and a master of arts. A certain Gervase de Castro had been bishop of Bangor from 1367 to 1370, on the appointment of Urban V. (not Urban III., as Le Neve, I. 99).

three years before the temporalities of the see of Durham fell into the king's hands. The Year Book tells us nothing of the verdict, but from the fact that Peter Galoun received a royal ratification of his estate in the church, it would seem that the crown experienced some difficulty in establishing so uncertain a claim, and so compromised the action.

What of the law? A number of interesting and important points are raised, which, however, are not so easily solved. First of all, what was the nature of the vacancy alleged by the crown?

To answer this, it is necessary to refer once more to general political history. Selden once remarked (more in jest than earnest) that Urban VI. was the only pope with a parliamentary title,<sup>44</sup> for at the Parliament of Gloucester the king laid the facts of the Great Schism before the assembled prelates and magnates, who after due deliberation passed a statute acknowledging the title of Urban, and enacting that all the benefices of the rebel cardinals—Clement and his party—were to be seized into the king's hands and the fruits paid to him until further orders.<sup>45</sup> Moreover, the statute was immediately enforced, for we read that two cardinals received restitution of their goods and benefices taken under the statute when they had convinced the government of their adherence to the right side in the schism.<sup>46</sup> So far all is clear, but it must be added that the motives of the government were not unmixed. England was at war with France: Clement was the nominee of the French faction among the cardinals, and so England had naturally supported Urban and proscribed Clement. Then, too, there is abundant evidence that the crown had been accustomed to derive considerable income from the benefices held by Frenchmen during times of war. The statute, it is true, covers its clauses of confiscation with a decent cloak of religion and denounces the Clementine cardinals as rebels and schismatics,<sup>47</sup> but the royal letters patent which soon afterwards appeared show that a different view could be taken. Now Urban VI. had declared Clement and his supporters to be deprived of their benefices, and had appropriated two-thirds of their income to the papal *camera* and the remainder to the improvement of the benefices. Already, then, the king's statute and the pope's bull were in conflict over the disposition of the spoils, and an obvious opportunity existed for the king

<sup>44</sup> Selden, *Table Talk*, CVI. 9.

<sup>45</sup> Stat. 2 Ric. II., st. 1, c. 7. For the text of the manifestos issued by the rival parties, see Walsingham, I. 382 ff., who implies (*ibid.*, p. 380) that their respective nuncios came to the Parliament.

<sup>46</sup> Rymer, VII. 208.

<sup>47</sup> The Commons in the Gloucester Parliament, however, were most concerned at the vast sums of ecclesiastical revenue sent abroad. *Rot. Parl.*, III. 46 (70).

to show his devotion to the true pontiff—and it is here that the more immediate motives of the king find frank expression. Letters patent issued July 6, 1379, recited the statute of the Parliament of Gloucester, and further related that the king had followed the practice of his predecessors in the matter of benefices held by adherents of his enemy of France and had confiscated them to the treasury (*Aerrario nostro fiscali jussimus applicari*); nevertheless, Urban had sought to apply their revenues to his own and the churches' needs, and so the king, moved by the extreme poverty of the Holy Father, conceded his request, and, although by the law of the land these sums were notoriously confiscated, yet the king graciously allowed the papal agents to collect them until Michaelmas of the following year.<sup>48</sup> In short, the statute had hastily assumed that the fruits of ecclesiastical benefices forfeited for schism would go to the crown: Urban's bull appropriated them to the requirements of the papacy; and in face of that claim the king felt a change of front necessary if he was to retain the spoils. Consequently we find the insistence that the Clementine cardinals are not only schismatics but also adherents to France. The attempt of the pope to secure the profits for himself is set aside and it is only by way of charity that he is permitted to collect them for just twelve months—a period which was subsequently extended for similar short terms,<sup>49</sup> although at times a particular benefice would be excepted from the concession and retained in the king's hand.<sup>50</sup> Finally, the letters patent seriously misrepresent the statute of the Gloucester Parliament by alleging that it extends to all benefices held by Frenchmen.<sup>51</sup>

We can now examine the vacancy alleged by the crown with a view to determining its nature. The simplest course would have been to plead that the vacancy was by deprivation; but there were difficulties there, for the very bull containing the sentence also contained the reservation of the profits to the papal *camera* (which the king had so brusquely set aside), with the understanding doubtless that when the benefices were ultimately filled it would be by papal provision. Moreover, it would have been extremely awkward for the crown to have to prove a voidance by the production of a papal bull, seeing that subjects were stringently forbidden to bring papal documents into the king's court.<sup>52</sup> Clearly, then, deprivation by papal

<sup>48</sup> Rymer, VII. 222.

<sup>49</sup> *Ibid.*, pp. 271, 303, 346.

<sup>50</sup> *Ibid.*, p. 289.

<sup>51</sup> This was the petition of the Commons, but the king's reply to it only dealt with those held by the rebel cardinals. *Rot. Parl.*, III. 46 (70, 71).

<sup>52</sup> 30 *Lib. Ass.* 19.



sentence is not the line the royal sergeants will take. The statute of the Gloucester Parliament is even less promising, for it does not go to the length of depriving the rebel cardinals but only seizes their profits into the king's hand—and in our particular case the king wants not the income of the benefice but the opportunity to confer it upon his nominee, for which purpose he must first establish the fact that it has become vacant. Only one course was left, and that was the one that the crown took, namely, to ask the Court of Common Pleas to try whether the antipope Clement VII., rector of Wearmouth, was a miscreant; and if so, to hold that his church was thereby vacant *ipso jure*, and that all these matters lay within its jurisdiction. If this could be done, then the way was clear for the crown to establish its claim to a prerogative presentation in the usual way, if sufficient grounds for such a claim ever existed.

Such an extraordinary suggestion as this must have been received with a vigorous protest, and it is unfortunate that we have only the merest summary of Burgh's plea to the jurisdiction, with the result that it is impossible to say with certainty on what grounds he relied most: did he mean that the Common Pleas cannot try the question of misbelief? Or that a cardinal is beyond their reach? Or that the alleged miscreance would have been triable had it not been laid outside the realm?

The reports available throw no light upon these questions, but it is clear that whatever Burgh's arguments were, they failed to convince the court, and on the contrary, drew from the bench an emphatic assertion of its authority over the present matter. Belknap, C. J., declared that he would prove the jurisdiction of his court from "reason", *i.e.*, from general principles rather than from precedent. He first laid it down that "all Court Christian is one court"—which we may take as the common law's deduction from the canonical dogma that the pope is universal ordinary.<sup>53</sup> From this Belknap draws the corollary that the deprivation of a clerk is equally within the cognizance of the Court of Common Pleas whether the sentence was given in the Court of Arches in London, or in the court of Rome: there is, moreover, some plausibility in his view, for even appeals to Rome were often tried within the realm by papal delegates.<sup>54</sup> Now it has already been remarked that the crown did not allege a deprivation by sentence, but relied on the general rule of the canon law that heresy and schism involved *ipso jure* loss of benefice.<sup>55</sup> Chief Justice Belknap meets this situation by assuming that depriva-

<sup>53</sup> Bracton, f. 412.

<sup>54</sup> Maitland, *Canon Law*, p. 105.

<sup>55</sup> As to the truth of this assumption, see *post*, note 57.



tions whether *de jure* or *de facto* are equally within his principle that the Court of Common Pleas will take cognizance, wherever the cause of deprivation may have been—"for all Court Christian is one court".

The second step in Belknap's argument is to establish the analogy between heresy and treason<sup>56</sup> when these crimes have been committed outside of the realm. He asserts that the trial of treason in such a case will be at the place where the lands of the accused are situated, and from this draws the conclusion that miscreance should likewise be tried where the heretic's benefice lies.

And so Belknap uses some very general principles as a basis for his claim that the Court of Common Pleas can take cognizance of the voidance of Wearmouth church by reason of the misbelief of its rector. There are several points in his speech which invite discussion: his theory that "all Court Christian is one court" and his remarks upon the trial of treason committed outside the realm both deserve investigation, but they would lead us too far from our present subject, and so must be reserved for a more appropriate occasion. Our immediate purpose is best served by calling attention to the fact that even assuming that the miscreance of a clerk involved *de jure* deprivation in canon law,<sup>57</sup> yet the Church most emphatically denied that any trial of such a matter could take place before a lay judge, or that the *de jure* forfeiture of goods could be actually enforced without a *sententia declaratoria* by the ecclesiastical authority.<sup>58</sup> These points of canon law are significantly absent from Belknap's treatment of the situation.

Nor is this all, for not only the Church but Parliament also stood between the king and Wearmouth church, for in 1350, as the result of a petition of the bishops in Parliament,<sup>59</sup> a statute was made enacting that "whereas the said prelates have prayed remedy because the secular justices accroach to them the cognizance of the voidance of benefices *de jure*, which cognizance and discussion belongeth to the judge of Holy Church and not to lay judge; so the king willeth and

<sup>56</sup> This analogy is familiar in canon law, and has played a large part in the development of heresy; c. 10, X. 5. 7.

<sup>57</sup> The canons seem to inflict degradation rather than simply deprivation as the immediate penalty upon clerical heretics, but commentators go further; *haeretici enim non possunt possidere rem ecclesiae* is the comment of the archdeacon upon c. 1, Dist. VIII.; and Lyndwood, p. 293, gl. d, says, *nec possunt [haeretici] aliquid beneficium ecclesiasticum obtinere*. Degradation and the milder deposition both involve deprivation and must be performed by ecclesiastical authorities. See Zanchinus Ugolinus, *De Haereticis*, c. xviii, § 7.

<sup>58</sup> Lyndwood; p. 293, gl. *confiscata*; c. 19, VI. 5. 2.

<sup>59</sup> *Rot. Parl.*, II. 245.

granteth that the said justices from henceforth receive such challenges made or to be made by any prelates of Holy Church in that behalf, and moreover shall do right and reason thereof".<sup>60</sup> The meaning of the statute we believe to be clear: the king concedes the trial of voidances *de jure* as within the province of the ecclesiastical courts.<sup>61</sup> The alleged voidance of Wearmouth church is *de jure* and so clearly falls within the statute, and should therefore have been tried by the certificate of the ordinary. But nothing of the sort took place; "*venire facias* was awarded to the sheriff" without, as far as we know, any protest by the party or the ordinary. This case is therefore the first of a slender line of authorities extending into the seventeenth century which agree in flouting the statute, which does not seem ever to have been applied—an injustice which the Church resented as late as the reign of Queen Anne.<sup>62</sup>

So clearly was the temper of the bench revealed in Belknap's speech that Burgh refused further controversy, and in accordance with the peculiarly complex pleading appropriate to this action<sup>63</sup> proceeded to set up his own title—"the church became void in the time of the late bishop and we were parson imparsonnee in his time, too, by provision of Gregory XI."—by way of "inducement"<sup>64</sup> to his special traverse of that of the king—"without this that the church fell void by the miscreance of the cardinal *ut supra* while the temporalities were in the king's hand; ready". The issue having been duly joined by the king's sergeants, process issued for the summoning of the jury and the report remarks that, although the cause of action lay within the palatinate of the see of Durham, yet the *venire facias* was sent to the sheriff and not to the bishop. The reason is evident—the king will sue in no court but his own, and where he is party his own officers and not those of any subject's franchise will return the writs. As for the jury's verdict nothing is known, save what may be conjectured from the ratification of Peter Galoun's estate which followed.<sup>65</sup>

<sup>60</sup> 25 Edw. III., st. 6, c. 8.

<sup>61</sup> It is only fair to state that Maitland, *Canon Law*, pp. 156–157, has interpreted this statute differently, and that the present writer has given reasons for holding the view expressed in the text in "*Execrabilis* in the Common Pleas: Further Studies", which appeared in *Cambridge Law Journal*, I. 71.

<sup>62</sup> Gibson, *Codex Juris Ecclesiastici*, tit. XXXIV., cap. 1.

<sup>63</sup> See Booth, *Real Actions*, p. 235.

<sup>64</sup> For the forms of special traverse, see Stephen, *Pleading*, pp. 188–192. The necessity of setting up a title in the impedient is explained in the judgment in *Elvis v. Archbishop of York and others*, Hob. 320–321.

<sup>65</sup> Ratification might even follow a judgment for the king; *Registrum Brevium Orig.*, f. 304b.

As we have seen, the statute of the Gloucester Parliament made some show of confiscating the goods as well as of sequestrating the benefices of the Clementine cardinals on the ground of their rebellion against Urban VI. True, the crown receded from this position later, when the manifold inconveniences of such a step became apparent, but all the same it has been forever put upon the statute roll that the king had presumed to confiscate the goods of certain exalted heretics. Due allowance of course must be made for the fact that these heretics were also alien enemies and that the Commons were mainly interested in this aspect of the case, but, as we have shown from the subsequent letters patent administering the provisions of the statute, the crown was not unwilling to make the charge of schism—if only in a preamble. Moreover, in the matter of Wearmouth church the crown saw fit to base its claim upon that misbelief and schism of which the *fama publica* accused its rector. And so Chief Justice Belknap was moved to make some remarks upon the general question of the loss of property for heresy, with the discussion of which we will conclude this paper. We willingly concede that they are *obiter dicta* and that strictly they are immaterial to the question involved in the case, but nevertheless they still remain of very great interest. The miscreant's lands are forfeit and the lord shall have them as his escheat; such is the case in treason, and all the more does it apply where the treason is against the Sovereign of all earthly lords. This is Belknap's dogma, and the surprised reporter tells us that he swore it was the law. Can it be that the justice's vehemence must be referred to the lack of better authority?

On the Continent the loss of goods and chattels for heresy was no novelty by the time of our case.<sup>66</sup> Gratian stated the principle and vouched St. Augustine for it,<sup>67</sup> and legislation of the emperors enacted it.<sup>68</sup> Provincial councils, especially in the south of France and other regions where heresy was prevalent, systematized the law with every refinement which the greed of secular and clerical lords could devise, with the result that their combined ferocity laid waste the richest and most flourishing province of France. By the time of the fourteenth century therefore there had accumulated a large mass of case law upon the subject, considerable legislation, and several

<sup>66</sup> See Havet, *Oeuvres*, II. 117-180; Lee, "Confiscation for Heresy", in *Eng. Hist. Rev.*, II. 235-259; Pollock and Maitland, II. 544; Tanon, *Histoire des Tribunaux de l'Inquisition*, pp. 523-539.

<sup>67</sup> Gratian, c. 4, C. 23, q. 7.

<sup>68</sup> For Justinian, see *Cod.* I. 5; *Cambridge Med. Hist.*, II. 107-108; cf. *Summa Rolandi* (ed. Thaner), p. 96; for Frederick II.'s famous constitution *Commissi*, see *M. G. H., Leges*, II. 196, 281, etc., and c. 18, VI. 5. 2.

treatises in which the law and procedure applicable to heretics were expounded with admirable clearness and skill.

In England things were vastly different. Until the rise of the Lollards the country had been conspicuous among the realms of Europe for its devotion to the Faith. Such misbelievers as did exist were few and insignificant and their possessions too poor to be worth the trouble of dispute. Consequently there is no trace in England of the bitter conflict over the spoils between the secular and ecclesiastical authorities which was so striking a feature of the Continental situation. The few slight references to heresy in English records are soon told. In 1166 the Assize of Clarendon ordered that the houses of all who harbored Patarini should be plucked up and taken outside the town and burnt.<sup>69</sup> There is no suggestion that there were native Patarini in England and this penalty is imposed on all who sheltered them, without alleging that such persons were not themselves orthodox. A few scattered cases occur of condemnation for heresy and on one or two occasions the death penalty was exacted,<sup>70</sup> but we find no mention of the fate of the miscreants' lands and chattels. Hale<sup>71</sup> asserts that in two cases of the reign of Henry III. heretics have been condemned to the loss of goods, and as the rolls he refers to have been printed since he (and later Maitland) discussed them it is now possible to speak of them with more confidence.

The first case is that of Ernald of Périgord. On June 11, 1236, a mandate issued to the warden of Boston Fair for the arrest of all the wines and chattels of Ernald within his jurisdiction, the king having learned that he had been convicted of heresy. They were to be valued by good and lawful men and the wines delivered to John Colemere or his attorney to be held by him to the king's use and at the king's orders, "notwithstanding anyone who might claim on behalf of the mayor of Bordeaux or anyone else that the aforesaid wines and chattels were his, or offer to warrant them as his, more especially since the goods of condemned persons which are found within his realm and power are due to the king". Somewhat similar orders were given to the sheriff of Norfolk and Suffolk, while John Gisorz, citizen of London, was ordered to withhold a debt of ninety-six pounds which he owed to Ernald, and to keep the money to the king's use and subject to the king's commands. Finally instructions were given to Colemere to serve the mandates and to dispose of the wines according to instructions to be sent him later.<sup>72</sup> It should be stated

<sup>69</sup> For Continental analogies, see Tanon, *op. cit.*, p. 519.

<sup>70</sup> Pollock and Maitland, II. 547-548.

<sup>71</sup> Hale, *Pleas of the Crown*, I. 394.

<sup>72</sup> *Calendar of Close Rolls, 1234-1237*, p. 359; cf. *ibid.*, p. 294.

that Colemere was keeper of the king's wines and that the Close Rolls bear many memoranda of his official activities, one of which throws fresh light upon the case which was not available to Hale and Maitland. On July 24 following, Colemere was ordered to pay the freight upon ninety casks of wine, the property of "Ernisius de Peregord convicted of heresy and detained at Bordeaux",<sup>73</sup> Ernald is therefore at Bordeaux and we may conjecture that his conviction took place there also. It must be allowed, however, that it was perfectly possible for a heretic to be condemned in his absence<sup>74</sup> and that no legal considerations would prevent a court in England from convicting him of heresy while he was in Bordeaux. The facts that he was from Périgord and that the mayor of Bordeaux was expected to claim his goods strongly indicate that his conviction was in Bordeaux too. But in any case we believe that to be immaterial for our purposes, for the records show beyond all doubt that the king claimed to be entitled to the chattels of a heretic irrespective of the place of his conviction; it is sufficient for the chattels to have been found within the realm and power of the king—a truly remarkable doctrine. At first one is tempted to explain it by the fact that Henry III. was not only king of England but also duke of Aquitaine, but there are difficulties in the way: it seems that a proportion of the forfeiture in Aquitaine went not to the duke but to the mayor of Bordeaux, for how else can we account for his claim? Towns frequently substantiated such rights against their feudal and ecclesiastical neighbors in France.<sup>75</sup> But, taking it as it stands, we believe that the king's position is in perfect accord with canon law, for that system had very peculiar views upon the matter. The so-called forfeiture for heresy is in reality no forfeiture at all in the usual sense of the word. It is not a penal sentence enacted by an avenging sovereign and declared by its courts. Its nature is much more subtle than that. Readers of St. Augustine will recall the mystical sense in which he uses the word "justice" and the endless controversies throughout the Middle Ages on the nature and basis of property. And in Gratian<sup>76</sup> we find that it is this very idea which is responsible for the peculiarities of the law of heresy. The passage from St. Augustine's *Epistles* there preserved argues that the heretic cannot possess the Spirit of Justice, but is completely severed from the divine source of all law and order. Property exists solely in virtue of this principle. The moment a man has become a heretic his own rebellious thought has put to flight the

<sup>73</sup> *Ibid.*, p. 293.

<sup>74</sup> Zanchinus Ugolinus, c. ix.

<sup>75</sup> Lee, in *Eng. Hist. Rev.*, II. 241 ff.

<sup>76</sup> C. 4. C. 23, q. 7.

Spirit of Justice and he is left without a single point of contact with society. He has no rights, no property,<sup>77</sup> no family.<sup>78</sup> And so the *dominium* of ninety casks of wine at Boston Fair vanished as soon as Ernald entertained a heretical thought, and the sovereign of the place became entitled to them.

General considerations therefore support the king's contention against the mayor of Bordeaux. But the *non obstante* in the royal mandate is not confined to claims by the mayor but applies to claims of all other persons, even those who are willing to "warrant" the goods as their own, that is to say, who can prove their title according to the law and custom of fairs. In other words, the king claims the forfeiture notwithstanding the claims of *bona fide* purchasers for value in open market. Once more we must think of the condition of a man whose heresy has bereft him of the Spirit of Justice. Clearly he is so completely outside of the Divine order of things that legal relations with the just are impossible. He can make no contract,<sup>79</sup> can give no title. Even if his heresy is so well concealed that not a soul in the world suspects him, nevertheless he has lost *dominium*, and all his transactions are void. He may have died to all appearances a true Catholic, yet even after his death the inquisitor may try him and find him guilty, and then the declaratory sentence will authorize the application of the logical results of this doctrine; all the property of the heretic will be forfeit into whosoever hands it may have come and by whatever means.<sup>80</sup> And so with Ernald's wines. Even if they have changed hands several times so that the last owner can vouch to warranty the one from whom he bought them, it will not avail against the inexorable metaphysic of the canonists.<sup>81</sup> Fortunately for such purchasers Ernald finally purged himself of heresy and so in due course the king superseded his mandates and allowed him to continue his business.<sup>82</sup> One thing is clear from the case, and that is that the king was well acquainted with the canon law of for-

<sup>77</sup> "Statim commissio scelere, id est cum incidunt in errorem seu heresim, perdunt ipsi omnia sua bona", Zanchinus Ugolinus, c. xviii, § 4; consequently a heretic cannot be subjected to a money fine, *id.*, c. xix, § 1.

<sup>78</sup> Gratian, cc. 7, 8, C. 28, q. 1.

<sup>79</sup> "Fiunt infames et intestabiles active et passive, nec habent alicuius rei commercium", Zanchinus Ugolinus, c. xviii, § 3.

<sup>80</sup> *Id.*, c. xxiv, § 1.

<sup>81</sup> Certain of his wines in fact were arrested although in the hands of purchasers; *Cal. Pat.*, 1232-1247, p. 149.

<sup>82</sup> *Cal. Close*, 1234-1237, p. 485; *Cal. Pat.*, 1232-1247, pp. 175, 193. It will be of interest to note that Ernald was a man of note in his own country; he was one of a commission who received half of all the rents and issues of Bordeaux as security for a debt of 6000 marks, for five years. *Cal. Pat.*, 1232-1247, p. 49.

feiture for heresy, and was prepared to take advantage of it in England if he could find the goods of heretics within his realm.

The second case mentioned by Hale occurred a few years later and concerned another merchant from the south of France. The slight details that we have correspond closely with the case of Ernald, and so further discussion is unnecessary.<sup>83</sup> Enough has been said to show that there is a certain amount of precedent for the forfeiture of chattels in England for heresy. Belknap however does not mention the loss of chattels, but asserts that the heretic's lands will escheat to his lord, and of this proposition we know no earlier statement in English law. Indeed until now it has been believed that the first mention of forfeiture of lands for heresy was in the statute of 1414;<sup>84</sup> this dictum of Belknap's will therefore carry the history of the penalty a generation earlier than the statute.

It is such questions as these, then, which are raised by a consideration of *Triall* 54 in the *Graund Abridgement* of Sir Anthony Fitzherbert, and it is surely not without interest to tell the story of how the rector of Wearmouth became cardinal, pope, and miscreant, how a sheriff's jury was summoned to say whether his church was thereby vacant—in spite of canon law and royal statute, and how Chief Justice Belknap more than thirty years before the famous statute of Henry V. declared from the bench that a heretic forfeited his land, "and swore that this was the law".

THEODORE F. T. PLUCKNETT.

<sup>83</sup> *Cal. Close, 1237-1242*, p. 368.

<sup>84</sup> 2 Hen. V., st. 1, c. 7; Hale, *Pleas of the Crown*, I. 394; Makower, *Const. Hist.*, p. 188.



## CANNING AND THE CONFERENCES OF THE FOUR ALLIED GOVERNMENTS AT PARIS, 1823-1826

DURING the time of that extremely interesting experiment in international direction and control known as the era of Congressional Government in Europe (1815-1822), various organizations arose to meet the need. There were the congresses proper, first at Vienna, and then the series of periodic reunions at Aix-la-Chapelle (1818), Troppau (1820), Laybach (1821), ending with the Congress of Verona (1822), when England definitely broke away from the system. Connected with these were other subsidiary conferences on the German Confederation at Frankfurt, conferences on the slave trade at London, and commissions such as those on liquidation of claims, etc. Finally, there was the Ambassadors' Conference of the Four Powers at Paris (after 1818 often including a representative of France), which executed certain important details of the treaties and occupied itself also with cognate matters such as mediation between Spain and her colonies, regulation of ceremonial, adjustments of boundary disputes, and the decision of matters like the residence and claims of Joseph, Lucien, and Jerome Bonaparte and Madame Murat. Their general scope and meaning has recently been analyzed by high authorities, and it is needless to dwell upon them here.<sup>1</sup> They all were of importance in promoting international co-operation and in prolonging the period of collective control. But they all ceased about the end of 1822.

What, however, is less generally known is that attempts were made to prolong the Ambassadors' Conference of Paris from 1823 right down till 1826, and that the decisions of this body (from which England was excluded) had a great influence on European policy, because its members frequently took decisions on their own responsibility, in view of the remoteness of Metternich at Vienna and of Alexander at St. Petersburg. It was, for a time, possible that England might

<sup>1</sup> See Sir E. Satow, *Cambridge Historical Journal*, October, 1923, pp. 23-50; cf. also C. K. Webster, "The Congress of Vienna", in *Cambridge History of British Foreign Policy*, I. 500-518, and Alison Phillips, *ibid.*, II. 1-43. It is worth pointing out that a strong attempt was made in 1819 to extend the Ambassadors' Conference to include all important matters. It was resisted with great vigor by Castlereagh (see his letter to Wellington, Sept. 11, 1819, in Wellington, *Despatches, Correspondence, and Memoranda*, 1867, I. 75-76). The project therefore collapsed and the Ambassadors' Conference at Paris remained limited to formal or technical business arising out of the Treaty of Vienna.



again have been induced to take part in the meetings, and they not only represent a determined attempt on the part of the Four Powers of the Continent to preserve a unified policy and a moral solidarity, but they did to a certain extent and for some years succeed in this attempt. Their final break-up was due first to Canning's open opposition and next to his successful detachment of Russia from Austria over the Greek question. Until the publication of some nine of the most important protocols of these meetings, of 1824 and 1825, by Mr. Leland and Dr. Jameson in the pages of this review in 1917,<sup>2</sup> our only authority for their existence had been Stapleton:<sup>3</sup>

Meanwhile in conformity with the readiness to enter into a conference on the affairs of Spanish America, notified to the Court of Madrid, in answer to its invitation by the Continental Powers, Conferences were held at Paris but only composed of the ordinary Representatives of those Powers resident in that capital. The object of these Conferences never clearly transpired, although the only practical result which could be traced to their deliberations was, the encouragement which they gave to Spain to turn a deaf ear to the wise and prudent advice given to Her by the British Ministry.

This sketch is somewhat misleading. The date at which Stapleton suggests that the conferences began is about May or June, 1824, and their chief object is stated as the Spanish American question. In reality they began at the beginning of 1822, and concerned themselves with many other important matters, such as the internal affairs of Spain and Portugal, the Piedmontese refugees in Switzerland, etc. Unpublished material in the archives of Paris, Vienna, and London enables us now to piece together a tolerably complete account of their labors.<sup>4</sup> They were really a development of the old Ambassadors'

<sup>2</sup> See *American Historical Review*, XII. 595-616 (April, 1917). I should acknowledge here my great debt to both Dr. Jameson and Mr. Leland for arranging for researches in the Paris archives by Mr. Abel Doysié and for other advice the results of which are seen in the Appendix. My own evidence is chiefly drawn from the Vienna archives, though the British records contain many useful hints. The Paris records are less full than those of Vienna, but are practically the sole authority for the conferences at Madrid.

<sup>3</sup> *Political Life of Canning*, II. (1831) 60. Stapleton possessed valuable private letters of Canning, but his knowledge even of all the official papers was incomplete. In particular, he had not the invaluable Howard de Walden Papers (Public Record Office, 360: 1-5), which are the most important source of Canning's secret information.

<sup>4</sup> The conferences previous to 1823 were usually attended by England. Most of these protocols are in the Public Record Office, F. O. France, 146: 49, and in the Vienna Staats Archiv, France Varia, Bd. 122-123. From January, 1823 (see Appendix) there were two kinds of conferences: (1) the Allied Ambassadors' Conference at Paris (excluding England), dealing with major matters; (2) the

Conference at Paris, with England excluded from, and France admitted to, the conclave. Their powers were meant to be even more extensive, as Metternich wanted them to deal with all "major questions".

The regular ambassadorial conferences at Paris appear to have sat constantly in 1819; there are thirty meetings recorded, at twenty-four of which a French representative was present. There are nineteen in 1820 and thirteen in 1821, dealing chiefly with the French loan, so that France was often excluded; and thirteen in 1822, France being present at all but one, and England being significantly absent from three. Then came Verona, with independent action on the part both of France and Great Britain, and from that time forward no British representative was ever present except upon a few special occasions, such as the regulation of the Franco-Prussian frontier, ceremonial, residence of the Bonapartes, etc., where the execution of the Vienna Treaty was concerned.<sup>5</sup>

At the end of 1822 the Congress of Verona broke up in some disorder and the shock to the whole Congressional system was correspondingly great. The three Eastern, despotic, and military monarchies formulated a policy of collective pressure on Spain, in which constitutional and parliamentary England refused to concur during the Congress. Royalist and parliamentary France, while appearing to concur at Verona, broke away immediately afterwards. Montmorency, the foreign minister, was compelled to resign because of his subservience to the three Eastern Powers at Verona. The prime minister, Villèle, replaced him by Chateaubriand and, to the dismay of the three Powers (the Neo-Holy Alliance), launched France on an individual and separate course. Eventually France, preserving her separate action, maintained her ambassador at Madrid after the Neo-Holy representatives had departed. She did it for her own purposes, which ultimately, in contrast to those of the three Eastern Powers, proved directly and actively warlike.

Allied Ministers' Conference at Madrid, dealing with such Spanish and Latin-American matters as could not be referred to Paris. The latter was more short-lived and less important. There was further (3) a subsidiary conference of Allied ministers at Lisbon, arising out of the troubles caused there by Dom Miguel in 1824. England's minister at first attended them, but was sharply reprimanded by Canning for so doing and his further attendance forbidden. P. R. O., F. O. Portugal, 179: 26, Canning to Thornton, July 19, 1824. The conferences went on without him till the end of 1824, after which they ceased to be of importance.

<sup>5</sup> See Appendix. The term three "Allies" is generally used in this article to connote Austria, Russia, and Prussia; France is included to make a fourth. England, as indicated, practically ceased to attend Allied conferences at the end of 1822.

Meanwhile the Ambassadors' Conference was employed by Metternich and Alexander at Paris in a desperate effort to maintain France in the right cause. On December 13 the three *chargés d'affaires* of Russia, Austria, and Prussia considered the decisions of Verona: at the next meeting (December 23) the two ambassadors had returned and were able to take more decisive action. The Russian representative, Pozzo di Borgo, was an able, ambitious, and intriguing man, the chief motive force at all subsequent reunions. The Austrian was Vincent, a tolerable and experienced diplomat of pre-revolutionary days, but much inferior to Pozzo in driving power, and the Prussian *chargé* was Maltzahn,<sup>6</sup> described by Canning as "odious and offensive", who usually followed Vincent's lead, though both of them frequently surrendered to the imperious Pozzo. On the 23d the situation was extremely critical, as the distaste of the French government for the decisions of Verona was known. None the less the three representatives decided to execute these decisions, that is, to instruct their ambassadors to demand their passports at Madrid without waiting for the French decision. On Christmas Day Montmorency resigned and a French despatch was sent to Madrid, which instructed the French ambassador to remain, though the tone of the despatch, which was published, was hostile to Spain. On January 9 and 10, 1823, the three other Allies at Madrid did demand their passports, and on the twelfth the three Allied representatives met at Paris to confirm that decision, in spite of France's isolated action, and this step was embodied in a protocol.<sup>7</sup> On the 18th the French representative at last asked for his papers, and in his case, though not in that of the other three Allies, this action was understood as meaning, and did really mean, the possibility of war. On receipt of this news Pozzo appears to have again summoned his two colleagues, but, in default of instructions for the new case, they hesitated to act. They failed in any case either to stop France or to associate themselves with her. Pozzo was, in fact, suspected of having tricked his colleagues. For, desiring war and realizing that Russia could not now take part in it, he is thought to have urged France to declare it without attending to her Allies.

Certain it is that the real attempts to restrain France came not from him but from Metternich and Alexander, and that the instrument was the Reunion at Paris. Canning, who strongly resented the attitude of France, told her that he had removed the declaration of

<sup>6</sup> Maltzahn was replaced by the Prussian minister Werther in the middle of 1824. The latter was a humdrum diplomat who agreed fairly well with Vincent.

<sup>7</sup> See Appendix.

neutrality from the king's speech,<sup>8</sup> and assumed a menacing tone in a public oration at Harwich (February 11). Chateaubriand was alarmed and summoned his three colleagues, who unanimously declared that, though they were without instructions, their courts would be obliged to make common cause with France if she were attacked by England.<sup>9</sup> This gave both Metternich and Alexander their chance, and both advised the resumption of conferences at Paris for the control of the Spanish business. Alexander sent a strong despatch (March 15) offering to support France by concentrating a Russian army, to be called "the army of the Alliance", near his west frontier, which should march to the aid of France if necessary.<sup>10</sup> Metternich had no wish to see Cossack armies crossing Germany to invade Spain, and devised a subtler scheme. He proposed to control France first by the conferences, and secondly by the appointment as Spanish regent of Ferdinand of Naples (a Spanish Bourbon), who was residing at Vienna and under Austrian influence. He was to be regent pending the restoration to liberty of Ferdinand of Spain, who was in the hands of the revolutionaries.<sup>11</sup>

This ingenious scheme did not suit France at all, for it meant that she would run the risk of invading Spain while the Neo-Holy Alliance would continue their control. Moreover, on March 31, Canning finally declared the neutrality of England, so that neither Villèle nor Chateaubriand required further military support against England. Hence they showed no desire for conferences. Metternich pressed the point, and offered to concentrate Austrian forces in North Italy as another part of the army of the Alliance.<sup>12</sup> Chateaubriand, thus urged from two sides, gave way, but he said that the words "Conferences" and "Protocols" had "painful memories" for France.<sup>13</sup>

<sup>8</sup> Paris, Archives des Affaires Étrangères, Angleterre, vol. 616, Marcellus to Chateaubriand, Feb. 7, 1823.

<sup>9</sup> *Ibid.*, Chateaubriand to Marcellus, Feb. 17, 1823.

<sup>10</sup> Quoted by Chateaubriand, *Oeuvres*, XII. (Paris, 1912) 236-238, and in F. Martens, *Traité de Russie*, XV. 17, where Alexander declares that an attack on France by England would be regarded by him as an attack on all the Allies, with all the consequences which that involved.

<sup>11</sup> Vienna Staats Archiv, Weisungen nach Paris, Metternich to Vincent, Apr. 4, 1823, and no. 4 secrete.

<sup>12</sup> *Ibid.* Canning's neutrality was assured on three conditions: (1) no French annexations in Spain, (2) no French attack on Spanish America, or (3) Portugal.

<sup>13</sup> V. S. A., Berichte aus Frankreich, Bd. 352, Vincent to Metternich, May 3, 1823, enclosing a copy of Chateaubriand's despatch to Caraman (French ambassador at Vienna) of Apr. 22; an account of the first reunion is in Vincent to Metternich, Apr. 22, 1823, no. 96. There was a formal conference, with a protocol, on Swiss refugees on Apr. 27 (see Appendix).

Let them have informal meetings to be called "réunions" with *résumés* and not protocols. The first informal reunion of the Neo-Allies and France at Paris took place on April 22. Agreeably to Chateaubriand's views a *résumé* only, not a protocol, was drawn up and the proceedings were informal.<sup>14</sup> An elaborate scheme was drawn up for "the army of the Alliance", which was communicated to the press with a view to intimidating revolutionaries in all countries, and perhaps England as well, by the prospect of the union of the armed forces of four sovereigns. Vincent and Chateaubriand took care, however, to safeguard the action of their respective countries and to tie up that of Alexander by inserting in the *résumé* a note of the agreement of the Four that the "army of the Alliance" would take no action except on the unanimous consent of all Four Powers. The question of Spain was also discussed at this meeting, but here Chateaubriand awakened the suspicions of the other representatives by taking everything *ad referendum* to his cabinet.

Villèle, the real ruler of France, of whom Chateaubriand was the reluctant tool, had no intention of allowing the Allies to interfere in the settlement of Spain. On one pretext or another further meetings were deferred, and Angoulême, the French commander-in-chief, hastily published a proclamation on May 25 on his arrival at Madrid,<sup>15</sup> in which he declared his intention of appointing a regency on the advice of Spanish notables, who would (of course) be nominated and controlled by France.<sup>16</sup> Metternich was thus outwitted in his ingenious scheme of getting his puppet of Naples nominated for the regency. He was much annoyed and, in consequence of his vigorous remonstrance, a session to discuss this question was held on June 6 and 7.<sup>17</sup> But Chateaubriand stubbornly refused to put the King of Naples at the head of the regency. Metternich, however, returned to the charge and on July 18 and August 14 two conferences took place and protocols were signed, which saved Metternich's face, but in reality defeated his object. France had, so far, succeeded in "ploughing her own furrow".

Chateaubriand's instinct was right in trying to avoid, and Metternich's in trying to secure, these meetings. For it was not easy for France to resist some of the moral pressure thus brought to bear. The Neo-Allies obtained another meeting on September 18, in order to check the "liberalism" of Villèle. For France was in fact favor-

<sup>14</sup> See Appendix.

<sup>15</sup> This was due to the instigation of Villèle. V. S. A., *Berichte aus Frankreich*, Bd. 352, Vincent to Metternich, June 10, 1823, no. 104 A.

<sup>16</sup> See Appendix for certain other conferences at this time.

<sup>17</sup> Canning knew something of these conferences.

able to a representative constitution in Spain provided it was *octroyée* by the sovereign on the model of the French Charter of 1814. Villèle had even made some efforts to obtain one, and in the interchange of letters between Angoulême and Ferdinand on September 4 and 7, the former made a hint to that effect. On September 18 the three representatives of the Eastern Powers demanded an explanation of this suggestion and advised against it. Chateaubriand had in fact already promised to follow in this matter the "indications of the Conference of Paris".<sup>18</sup> Hence he was quite unable to resist and explained the matter away as being due to a suggestion from Spain. Henceforward France dropped the constitutional experiment altogether. Here the Allies, in destroying all chance of a constitution in Spain, secured a decisive victory as a set-off to their previous rebuff. They were soon to find however that, if they could win victories over France, they were not to win them over the immovable obstinacy of Ferdinand, whose hatred of representative government was great but whose hatred of foreign interference was even greater.

On October 13 or 14 Pozzo summoned the "reunion" again, for he was departing on a mission to Madrid with the view of establishing Russian ascendancy there. It was decided to congratulate Ferdinand on his deliverance (and, of course, also on his refusal to grant a constitution). In addition he was to be recommended to govern well, and to be asked to summon the Allied Powers to attend a congress on Spanish American affairs.<sup>19</sup> The first piece of advice was one to which Ferdinand paid no sort of attention now or at any other time. But he adopted the second and issued his invitations on December 30. It was hoped that this would force England once more to enter a congress and inaugurate an era of collective control in the New World. But, to the universal dismay, Canning bluntly refused, on January 30, 1824, to enter a congress on Spanish America and intimated that he regarded England as free to take her own course in the matter in future, *i.e.*, to recognize the Spanish American states without referring to or consulting any other powers. Profiting by the excitement caused by this refusal to enter a congress of sovereigns, Metternich proposed a resumption of the Ambassadors' Conference which should deal with all questions of "major importance", but this was a little premature.<sup>20</sup> There was, however, an informal

<sup>18</sup> V. S. A., *Berichte aus Paris*, Bd. 352, Vincent to Metternich, May 3, 1823, no. 97; for the meeting of Sept. 18, see Appendix.

<sup>19</sup> Similar reunions were held on Oct. 20, Nov. 30, Dec. 7 and 21, 1823. Canning knew something of these on Oct. 14 or 20. See P. R. O., France, 146: 56, Canning to Stuart, Oct. 28, 1823. See, further, Appendix.

<sup>20</sup> See Appendix.

"reunion" of February 27,<sup>21</sup> to which France was not summoned and at which Pozzo, now returned from Spain, violently denounced Canning and found some cause to suspect France of once more drifting away from the Neo-Holy Alliance. On March 21 France again joined in the meeting of ambassadors, and Pozzo secured the important declaration from Chateaubriand that "France had decided not to recognize the Spanish American colonies", thus giving proof of her loyalty at once to Spain and to the Neo-Holy Alliance.<sup>22</sup> Here again the meeting had proved of value, for Villèle had made no secret of his desire to act independently of his Allies, and to give a *de facto* recognition to the Spanish colonies in America.

On June 6 Chateaubriand was dismissed, and Villèle, as acting foreign minister, resumed the meetings on the 11th. He then read to the members his instructions to the French governor of Martinique, which authorized him to defend Cuba or Porto Rico against any external attack (*i.e.*, whether from Mexico, Colombia, the United States, or Great Britain) and, more important, "to interfere to repress any revolt against the legitimate authority" of Spain in these islands. It is interesting that the three eastward Allies heard and approved of this last instruction. For Polignac in his conference with Canning (October 9, 1823) had given pledges on this point. France, as Chateaubriand reminded them, March 21, 1824, had "promised (on behalf of France) not to intervene (in the New World) by force of arms; she would not depart from this determination". Yet on June 11 the governor of Martinique was solemnly authorized by the Conference to intervene to suppress revolution in Cuba or Porto Rico. Thus the three other Allies approved a step which might have led to war with England.

A new and important subject and country now occupied the attention of the sessions. It was that of Portugal, and involved two crucial matters, the attitude of the "reunion" towards constitutions, and its policy towards England whose treaty obligations made Portugal a subject of special interest to her. If it was dangerous to interfere by force in the Spanish New World it was much more dangerous to act thus in Old World Portugal. If there were to be action in Portugal even Villèle did not think that France could go forward

<sup>21</sup> V. S. A., *Berichte aus Frankreich*, Bd. 356, Vincent to Metternich, Feb. 27, 1824, no. 10 A.

<sup>22</sup> V. S. A., *ibid.*, Vincent to Metternich, Mar. 25, 1824. At another reunion, on Apr. 19, Chateaubriand tried, though ineffectually, to explain away this admission. *Ibid.*, Bd. 357, Vincent to Metternich, Apr. 19, 1824. See, further, Appendix. A reunion on May 18 (perhaps the last at which Chateaubriand was present) approved the Spanish reply of Apr. 30 to Canning's despatch of Jan. 30 declining a congress on Spanish affairs.



alone, and hence the meetings on this question became of serious moment to all parties. The invasion of Spain had not brought war with England, but the Allies knew that interference in Portugal might do so.

The circumstances in Portugal were critical. On April 30 the good-natured and feeble John VI. was made a prisoner by the army under his unfilial second son Dom Miguel, whose sentiments were evidently absolutist. The king's life was for a time in danger and he sought refuge on a British ship in the Tagus. Eventually, however, John VI. recovered his authority and reaffirmed the old system of government by the Cortes. He received a submission from Dom Miguel on his knees, sent him to exile, and announced his intention of asking the Cortes to pass a law excluding him from the succession.<sup>23</sup> An informal "reunion" at once met to consider the situation—Pozzo, furious at the revival of representative institutions in Portugal, argued that Spain (of course with French co-operation) should intervene to suppress it. The Austrian representative opposed this. Pozzo then denounced the project of excluding Dom Miguel, arguing that "the established order of succession in a monarchical state could not be changed without injuring the public law of Europe". This, perhaps the most extravagant despotic contention ever advanced, was opposed again by Austria and apparently also by France.<sup>24</sup> In the second week of July a more urgent question cropped up, for Portugal requested military aid from England to deal with her internal disturbances. But Canning, after receiving a promise from France that she did not intend a military occupation of Portugal, declined to send troops and merely reinforced the British naval squadron in the Tagus. This could exercise a moral influence and protect the person of the king but could not actually intervene in the internal affairs of Portugal.

It was this situation which the Four Diplomats met to consider on July 30 and August 14. All united in condemning the attempt made by Portugal to furbish up and modernize her representative institutions and to exclude Dom Miguel from the succession, and agreed to put diplomatic pressure on her to abandon both projects. A strong remonstrance was accordingly forwarded to the Portuguese government, which lost no time in transmitting it to Canning. The latter assured them of moral support and encouraged them to disregard the Neo-Holy Alliance.

<sup>23</sup> Dom Pedro, the eldest son, having revolted and declared himself emperor of Brazil, Dom Miguel was considered at the moment the heir to the Portuguese throne.

<sup>24</sup> V. S. A., *Berichte aus Frankreich*, Bd. 358, Vincent to Metternich, June 26, 1824.



The affairs of Spain were discussed at this last meeting and also at two subsequent ones on the 26th and 31st of August, those of the 14th and 31st being attended by Zea, who had just given up his post in London and was returning to Spain to become her foreign minister.<sup>25</sup> A complete programme of reform was drawn up which Zea promised to do his best to carry out on his return. Efficiency was to be introduced into the Spanish government by appointing capable captains-general in the provinces, by discouraging irregular loyalist organizations, and by creating a Council of State with regular ministers for the transaction of business. France, which was feeling the expenses of military occupation, threatened to withdraw her troops unless adequate arrangements for a Spanish loan were made, a suggestion approved by the meeting. Most important of all, the Four Diplomats solemnly recommended Spain to do her best to reconquer her revolted American provinces, indicating Mexico as the most likely object of attack.<sup>26</sup> The encouragement was, however, purely moral. Russia alone wanted Spain to be actively assisted from the Continent, Metternich wanted to do nothing, and France was afraid both of England and of the United States.

Zea returned to Spain practically as the authorized representative of the Paris meetings of diplomats, a fact not likely to commend either him or his programme to his mulish master. Several further meetings took place in the next two months, including two regular conferences with protocols, on August 14 and 26 respectively.<sup>27</sup> Little however was done except that arrangements were made for similar diplomatic meetings to take place at Madrid, but these merely echoed the recommendations of Paris. In October and November there were several meetings and two conferences with protocols (October 26, November 30) at Paris. All these recommended France not to evacuate Spain, a pressure which Villèle felt unable to resist. This decision had very important consequences, for Villèle was pressed in December by Granville to give a promise to terminate the evacuation at a definite date, and was encouraged by the Ambassadors to refuse. His refusal was transmitted to Canning, who made use of it in the Cabinet as the final and decisive argument for recognizing the Spanish colonies and "calling the New World into existence".<sup>28</sup>

<sup>25</sup> See Appendix.

<sup>26</sup> See Appendix. The last recommendation was not friendly to England, but Canning had admitted Spain's right to reconquer her colonies if she could.

<sup>27</sup> See Appendix.

<sup>28</sup> For this explanation of recognition of Spanish America, see E. J. Stapleton, *Official Correspondence of Canning* (1888), II. 249. In a letter to Granville of Jan. 2, 1827, Canning says, "the French occupation was not the sole reason, nor

LIBRARY  
Coast Community  
School

This he did on December 31, 1824, by circulating a despatch to the effect that commercial treaties were being negotiated by England with Colombia, Buenos Aires, and Mexico, which, when ratified, would amount to effective recognition of their international existence.

Granville, as in duty bound, transmitted this intelligence to Damas, the new foreign minister of France, who brought it before six successive sessions of the Four Powers on January 8, 20, and 28, February 4, March 1 and 6.<sup>29</sup> They united in condemning the wickedness of England and approved the Spanish reply to her decision, but they could do little more than fulminate. One decisive step was taken. Russia, who was more "ultrageous" than anyone, used the pressure of the Conference to prevent the Netherlands from nominating consuls to the Spanish American republics. The Four Powers took no decision to remonstrate collectively with England, for a great maritime power was not amenable to pressure like a small one. Their separate protests were received with hardly concealed contempt by Canning. In particular he inquired of "the odious and offensive Maltzahn" how the principle of legitimacy worked in the case of Gustavus of Sweden, who (though mad) was still her rightful sovereign. Maltzahn had to reply that he had no instructions on this point.<sup>30</sup>

After this the "reunions" began to languish. The next important ones were in August and September, and dealt with the Spanish desire to obtain a loan from France. But by this time a distinct rift had appeared in the reunion lute. Pozzo had been suspected by Vincent and Villèle (and probably with justice) of pursuing a purely Russian policy in Spain ever since September, 1824, while pretending to co-operate with his colleagues. In May, 1825, other difficulties supervened; for Russia had a serious and, as it proved ultimately, a permanent, quarrel with Austria over the Greek question. This did not make for harmony in Spain. In August and September, 1825, meetings were held to discuss Zea's request for a loan to Spain. France refused to grant one unless it was also guaranteed by the other powers. They refused, for differences over politics did not make for union in finance.

Then came a thunderclap. Zea was dismissed by Ferdinand, to the dismay of the Neo-Holy Alliance and of France, and a circular perhaps in some quarters the most potential and reconciling reason . . . but it was emphatically *mine*". (These italics are not in the printed version, but are given in the original, in the private papers of Lord Granville.)

<sup>29</sup> See *Am. Hist. Rev.*, XII. 595-616 (April, 1917), *passim*, and Appendix.

<sup>30</sup> This has been quoted by F. L. Paxson, *Independence of the South American Republics* (1903), pp. 249-250, from P. R. O., Prussia 64: 145, communication of Baron Maltzahn.

YBLLITRA 12800

100102

was issued by the Spanish government which plainly suggested that the ministers of Spain were not in future to be the servants of external powers. Russia and Pozzo were known to have been particularly indicated. There was a meeting on the 7th and a conference on the 9th of November, at which Pozzo declaimed furiously, and the members decided that they would protect the person of Zea, but wisely resolved to abstain from any collective interference otherwise. At a meeting on November 28 Pozzo offered at last to take a share in guaranteeing the French loan to Spain, but by this time Villèle was unwilling to go forward with the matter and showed himself by no means "aimable".<sup>31</sup> So far as the internal government of Spain, at any rate, was concerned the collective influence and control of the Conference of Paris was pretty well at an end. It had been wrecked on the obstinacy of Spain, the intermeddling of Russia, and the particularism of France.

But international organizations, once set up, die slowly. On March 3, 1826, Apponyi, who had succeeded Vincent as Austrian ambassador at Paris, proposed to renew the conferences but found Pozzo opposed to them. On May 10 he heard that France was proposing a partial evacuation of Spain and asked for a conference. Pozzo appeared to approve and said: "It is very long since the Conference has treated of the affairs of Spain and at the actual moment, when Liberals are striving to proclaim the dissolution of the Alliance, it is important to take every opportunity to show that it still exists." Damas showed reluctance (for France was again pursuing a separate policy), and "forgot" to summon a conference until hard pressed by Pozzo. It met at last on May 26 and was the last regular conference with a protocol. The Conference formally requested Damas not to enfeeble the French garrisons in Spain too much. As regards Spanish America it decided not to urge Ferdinand to recognize the new states, but to arrive at some practical working agreement with them on commercial lines. Portugal next claimed its attention. On March 10, 1826, King John had died, but before his death he had appointed a regency to govern the country, from which Dom Miguel was excluded. The Conference decided in principle to recognize this regency and to recommend Spain to do the same.

It adjourned till May 29 and then unanimously recommended Spain to hold on to Cuba and not to accept the territorial guaranty proposed to her by both England and the United States as an inducement to recognize the independence of the Spanish colonies. This

<sup>31</sup> V. S. A., *Berichte aus Frankreich*, Bd. 364, Vincent to Metternich, Nov. 8, 21, 28, 1825. Cf. P. R. O., Spain, 185: 102, F. Lamb to Canning, Dec. 12, 1825, no. 84. See Appendix.

recommendation has importance as being one of the very few pieces of advice tendered by the Conference which Spain accepted.<sup>32</sup>

The last resolution of the Conference of May 26 had "recognized" the importance of perfect harmony between the Allies of Madrid, and added that nothing could make them believe there was "any divergence in the views of their respective cabinets on the great affairs of the moment". Few diplomatic phrases can ever have been more hollow. For even Metternich saw that the usefulness of this Conference was now limited. On May 31 he wrote to Apponyi that, owing to her co-operation with England over Greece, "Russia was separated in part from the Alliance". He thought she would have to come back to it.

But while waiting for this we have at the moment no motive to go in front of her, we ought on the contrary to avoid, in general, taking the initiative in questions in which she has a more special interest like that of Spain, especially when they are treated at Paris where they [the French] are jealous to exercise an exclusive influence in the affairs of that country [Spain] and where they see, with a malign pleasure, hardly concealed by M. de Villèle from you, the influence of Russia's collapse. You abandon yourself, under this head, too much to the insinuations and advance of General Pozzo di Borgo. He will not fail to put you in the forefront, and will try to compromise you with the French Ministry.<sup>33</sup>

He told Apponyi to leave it to France in future to take the initiative in such matters.

In July, however, the Alliance was appalled by the fact that Dom Pedro, the emperor of Brazil and new king of Portugal, actually had the temerity to grant a constitution to the latter state at the same time as he abdicated in favor of his eldest daughter and excluded Dom Miguel from the succession. Canning at once gave the constitution his moral support. Pozzo, with a last flicker of hatred against all representative governments, summoned the ambassadors more than once in June and July. But on July 25 they resolved that, in view of Canning's decided action in supporting the decrees of Dom Pedro, "all joint action of the Conference" was impossible. But England must keep constitutional propaganda out of Spain. "If ever Spain is touched with it, France and the Alliance will fight it *à toute outrance*, and it will be in the interest of their own safety, attacked and menaced by the revolutionary hydra, that they will be forced to

<sup>32</sup> The subject of Cuba had been previously discussed at three reunions in 1825. See *Am. Hist. Rev.*, XII. 608-616. The resolution was reaffirmed in a reunion of June 26, 1825 (see Appendix).

<sup>33</sup> V. S. A., Weisungen nach Frankreich, Bd. 372, Metternich to Apponyi, May 31, 1826, no. 6.

take this part.”<sup>34</sup> Positively the last meeting was held on August 17. Further trouble had been produced by the fact that numbers of Portuguese deserters had found their way across the border into Spain. The meeting most unwisely recommended Spain to decline to give up the Portuguese deserters, though it urged the use of cautious and moderate language.<sup>35</sup> This last decision encouraged Spain to refuse to give up the deserters and ultimately led her in December to a humiliation at the hands of Canning, who sent troops to Portugal and forced Spain to disperse the deserters and to recognize the regency of Lisbon. The impotence of the three Powers must now be explained.

In August, 1826, the state of Portugal having become increasingly serious, Metternich proposed a formal conference at Paris to discuss the matter. To his intense humiliation and disappointment Russia, however, definitely refused for fear of exciting the jealousy of England.<sup>36</sup> In September, Canning himself came to Paris on a visit and enlarged the breach between the Allies. Apponyi wrote to Metternich that Pozzo was Canning's bosom friend and “there is no more question of conference on which he [Pozzo] formerly insisted with unexampled heat”. In fact, during the last fortnight of September and the first of October Canning discussed in private with Pozzo and Villèle the situation in Portugal and came to important decisions upon it, and from these discussions Austria was excluded. Thus, and by no means gloriously, ended the system of Conferences and Reunions at Paris.

This Conference or Reunion system had worked under great difficulties, the chief of which was the refusal of Canning to have anything to do with it, and his unwearied and successful efforts at ridiculing the whole Congressional system. But its difficulties with its own members were no less. Villèle was always in principle and frequently in practice opposed to it, Pozzo di Borgo sought to “play fast and loose” with it, to use the Conference when this suited his aim of establishing Russian influence over Ferdinand,

<sup>34</sup> V. S. A., *Berichte aus Frankreich*, Bd. 369, Apponyi to Metternich, July 25, 1826.

<sup>35</sup> *Ibid.*, Apponyi to Metternich, July 11, 29, Aug. 24, 1826. Canning heard of these reunions and rapped Granville sharply over the knuckles for not reporting them. See private Granville MSS., Canning to Granville, July 14, 1826.

<sup>36</sup> V. S. A., *Weisungen nach Frankreich*, Bd. 372, Metternich to Apponyi, Aug. 20, 1826. The Russian attitude was doubtless affected by the fact that Canning had complained of Pozzo di Borgo's influence and addressed some very pointed remarks about conferences to Russia in July. See P. R. O., *Russia*, 65: 158, Canning to Disbrowe, July 15, 1826, no. 4. The effect of this is seen in Nesselrode to Lieven, Aug. 4. P. R. O., *Russia, Domestic*, 65: 161.

to disregard it at other times. Metternich only played for his own hand in 1823 over the Naples regency. Otherwise he appears to have worked seriously and sincerely to secure a collective control over Ferdinand with a view to moderating his excesses and improving the efficiency of his government, and also to maintaining the authority of legitimate governments both in Europe and in the New World. The Conference certainly was of little importance in influencing the interior politics of Spain; a wiser and more dignified policy was shown by Canning, who instructed his minister at Madrid to make no such effort.

But in the matter of French influence in Spain the Conference really exercised an important control. It prevented Villèle's scheme of getting Ferdinand to grant representative institutions in 1823, it induced France to give up her project of evacuating Spain at an early date. In doing this it gave a handle to Canning which that masterly negotiator used in his own Cabinet as the final plea for recognizing the independence of Spanish America. The Conference, however, succeeded in obtaining a promise from France not to recognize the new states in 1824, and in preventing the Netherlands in 1825 and Prussia in 1826 from appointing consuls to Spanish America.<sup>37</sup> It was probably due to its influence that Hamburg and Sweden were likewise so deterred. It also prevented Spain in 1826 from listening to American and British offers to guarantee Cuba in return for recognition of independence of the Spanish colonies on the mainland. It was probably unwise for Spain to delay that recognition and she would possibly have yielded to the separate and concealed pressure of France in the matter, but for the support of the other members of the Conference. In Portugal the action and advice of the Conference were fruitless, and it sustained defeats at the hands of Canning both in 1824 and in 1826.

The fact is that the policy advocated by the Paris Conference, as that of the Neo-Holy Alliance as a whole, was, as Canning phrased it, "delusive and outworn" after 1824. The emancipation of Spanish America was a fact, however Metternich and Alexander might choose to deny it. Coercion was impossible there, for England was prepared to resist by force of arms any attempt at reconquest by European powers other than Spain.<sup>38</sup> In Portugal its efforts were

<sup>37</sup> P. R. O., France, 146: 81, Canning to Granville, July 18, 1826. The evidence on which he relied is given in P. R. O., 360: 4, Howard de Walden Papers, Rocafuerte to Secretary of State for Mexico, Mar. 4, 1826.

<sup>38</sup> An excellent outline of the general policy of the Allies, but with little reference to the conferences, is given by Mr. Dexter Perkins, in *Am. Hist. Rev.*, XXVII. (1922) 207-218.

equally doomed to failure because Canning was prepared to fight if her territorial integrity was assailed. None the less it achieved some success in curbing the particularist interests of France, of Russia (or rather of Pozzo), and of Prussia. And the attempt at prolonging the period of international government is clearly of interest, the more so as it forms the least known chapter in the melancholy volume of which the last page was written on August 17, 1826.

HAROLD TEMPERLEY.

#### APPENDIX.

##### CONFERENCES OF THE ALLIED POWERS, 1822-1826.

To indicate states represented at the respective conferences, the following abbreviations have been used: A = Austria, F = France, P = Prussia, R = Russia. In the next column, (p) indicates that the meeting is represented in the archives by a protocol, (r) that it is reported in a résumé. In the column for references, V. S. A. = Vienna Staats Archiv; Fr. Arch. Étr. = France, Archives du Ministère des Affaires Étrangères; P. R. O. = Public Record Office, London.

It will be seen from the conspectus which follows that formal conferences were few; these are technically distinguished by having a protocol. But many réunions or meetings with résumés were really formal in all but name, the objection to a protocol being purely technical and due to France. Probably all conferences with résumés given in V. S. A., *Frankreich Varia*, Bde. 122 and 123, are in fact true conferences. Those mentioned only in despatches to Vienna are, properly, informal meetings. The respective accounts in the French and Austrian archives differ only slightly sometimes in form, more often in date. The difference in date seems to be due to the fact that the protocol was sometimes drawn up the day after the actual meeting and dated accordingly. It should be noticed that the only conferences attended by the representative of England after 1822 were formal ones connected with the enforcement of the terms of the Treaty of Vienna. The attendance of states other than Austria, France, Prussia, and Russia, *e.g.*, of Spain, Naples, Sardinia, or the Papacy, was occasional only.



## CONFERENCES AT PARIS

*Dates, and Representatives of States**References*

1822

- Dec. 13. A. P. R. (chargés only).<sup>1</sup> (p) V. S. A., Frankreich Varia, Bd. 122.  
 Dec. 23. A. P. R. (ambassadors (p) *Ib.*, Bd. 122.  
 and Prussian chargé).<sup>2</sup>

1823

- Jan. 12. A. P. R. (France ex- (p) *Ib.*, Bd. 122.  
 cluded).<sup>3</sup>  
 Mar. 30. A. F. P. R., England.<sup>4</sup> (p) V. S. A., Frankreich Varia, Bd. 123.  
 Apr. 22. A. F. P. R.<sup>5</sup> (r) V. S. A., Berichte aus Frankreich, Bd. 351, Vincent to Metternich, Apr. 22, no. 96 (says it was on Apr. 21).  
 Apr. 27. A. F. P. R., Naples, Sar- (p) V. S. A., Frankreich Varia, Bd. 123.  
 dinia.<sup>6</sup>  
 June 6, A. F. P. R., Naples.<sup>7</sup> (p) Fr. Arch. Étr., Espagne, vol. 722, ff. 29-41; V. S. A., Berichte aus Frankreich, Bd. 352, Vincent to Metternich, June 8; V. S. A., Frankreich Varia, Bd. 122.  
 7. Fr. Arch. Étr., Espagne, vol. 722, ff. 227-228.  
 July 18. A. F. P. R., Naples (em- V. S. A., Berichte aus Frankreich, Bd. 352, Vincent to Metternich, July 18; Fr. Arch. Étr., Espagne, vol. 722, ff. 227-228.  
 bodying Madrid proto-  
 col of July 14).<sup>8</sup>  
 July 31. A. F. P. R., Naples, Sar- (p) V. S. A., Frankreich Varia, Bd. 123.  
 dinia.<sup>9</sup>

- Aug. 14. A. F. P. R.<sup>10</sup> (r?) V. S. A., Berichte aus Frankreich, Bd. 353, Vincent to Metternich, Aug. 14, no. 120 A.

<sup>1</sup> Discuss situation of Spain.

<sup>2</sup> Decide to execute orders of Verona, without waiting for France.

<sup>3</sup> Re-adhere to instructions despite France.

<sup>4</sup> Re Charles son of Lucien Bonaparte (Vienna Treaty).

<sup>5</sup> Re army of Alliance.

<sup>6</sup> Re political refugees in Switzerland.

<sup>7</sup> Chateaubriand refuses to admit King of Naples to Spanish regency.



## CONFERENCES AT MADRID

*Dates, etc.**Reference*

1823

- Jan. 4. French minister, Austrian and Russian chargés communicate their respective instructions. Fr. Arch. Étr., Espagne, vol. 721, ff. 10-11.
- Jan. 9. Suggestions that a further conference will be held. Espagne, vol. 721, ff. 27-28.
- 
- July 13, 14. A. F. P. R. *Re* Spanish regency; *re* Naples regency; protocol sent to Paris, signed there July 18. Espagne, vol. 722, ff. 215-216, 227-228.
- July 15. A. F. P. R. *Re* Spanish regency. Espagne, vol. 722, f. 230.
- July 20. A. F. P. R. Sp. answer *re* regency. *Ib.*, vol. 722, ff. 264-265.
- July 27. A. F. P. R. *Re* above (seems to be practically the same). *Ib.*, vol. 722, f. 269.
- Undated. A. F. P. R. Referring to above. *Ib.*, vol. 722, f. 339 v.
- July 30, 31. A. F. P. R. Sp. answer *re* regency. *Ib.*, vol. 722, ff. 357-360, 365.
- Aug. 13, 14. A. F. P. R. *Re* Duc d'Angoulême's decree of Aug. 8. Espagne, vol. 723, ff. 101-102, 114-115.
- Aug. 28. A. F. P. R. Further discussing above. *Ib.*, vol. 723, ff. 194-195.

<sup>8</sup> *Re* Naples regency in Spain. (Canning obtained a copy of this protocol and sent it to Stuart at Paris. P. R. O., France, 149: 56, Canning to Stuart, July 15, 1823. Villèle admitted that conferences were taking place. P. R. O., Spain, 185: 91, Canning to A'Court, Aug. 19, enclosing Stuart to Canning of Aug. 1.)

<sup>9</sup> *Re* political refugees in Switzerland.

<sup>10</sup> *Re* Naples regency (this may have been informal; Villèle stated to have been present and strongly adverse to Naples regency).

<i>Dates, and Representatives of States</i>		<i>References</i>
Sept. 18.	A. F. P. R. <sup>11</sup> (r)	V. S. A., <i>Berichte aus Frankreich</i> , Bd. 353, Vincent to Metternich, Sept. 22.
Oct. 13 or 14.	A. F. P. R. <sup>12</sup> (r)	Oct. 13, <i>Fr. Arch. Étr.</i> , Espagne, vol. 724, ff. 72-73. Oct. 14, V. S. A., <i>Berichte aus Frankreich</i> , Bd. 353, Vincent to Metternich, Oct. 14.
Oct. 20.	A. F. P. R. <sup>13</sup> (r)	V. S. A., <i>Frankreich Varia</i> , Bd. 122.
Nov. 30.	A. F. P. R. (r)	<i>Ib.</i>
Dec. 7.	A. F. P. R. (r)	<i>Ib.</i>
Dec. 21.	A. F. P. R. (r)	<i>Ib.</i>

## 1824

Jan. 9.	A. P. R., Spain, England, Naples, Sardinia, papal nuncio (France absent). <sup>14</sup>	(p)	V. S. A., <i>Frankreich Varia</i> , Bd. 123.
Jan. 27.	Metternich proposes resumption of ministerial conferences at Paris to include France and to deal with all questions of major importance. <sup>15</sup>	(p?)	V. S. A., <i>Russland</i> , Bd. 6, Metternich to Lebzeltern, Jan. 27.
Feb. 27.	A. P. R. (France not present). <sup>16</sup>	(r)	V. S. A., <i>Berichte aus Frankreich</i> , Bd. 356, Vincent to Metternich, Feb. 27, no. 10 A.
Mar. 21.	A. F. P. R. <sup>17</sup>	(r)	<i>Ib.</i> , Bd. 356, <i>id.</i> to <i>id.</i> , Mar. 25, no. 15 A.
Apr. 19.	A. F. P. R. <sup>18</sup>	(r)	<i>Ib.</i> , Bd. 357, <i>id.</i> to <i>id.</i> , Apr. 19, no. 21 A.
May 18.	A. F. P. R. <sup>19</sup>	(r)	<i>Ib.</i> , Bd. 357, <i>id.</i> to <i>id.</i> , May 18, no. 23 A.
June 11.	A. F. P. R. <sup>20</sup>	(r)	<i>Ib.</i> , Bd. 357, <i>id.</i> to <i>id.</i> , June 16, no. 29 B.

<sup>11</sup> France induced to abandon her project of a liberal constitution in Spain.

<sup>12</sup> Congratulations to Ferdinand on liberation, and to ask for congress on Spanish-American colonies. Apparently met two days running. (Canning knew something of the conferences of Oct. 13-14; see P. R. O., France, 149: 56, Canning to Stuart, Oct. 23, 28.)

<sup>13</sup> (In all these four) admonitions to Ferdinand to govern well, and *re* Spanish amnesty.

<sup>14</sup> Communication to be made to France, diplomatic etiquette, etc.; and *re* Prince of Carignano.

<sup>15</sup> Two conferences. Pozzo di Borgo returned from Spain.

<sup>16</sup> Criticism of England's refusal to join a congress; France not present, her attitude being suspected.

	<i>Dates, etc.</i>	<i>Reference</i>
Sept. 4.	A. F. P. R. <i>Re</i> Duc d'Angoulême's decree of Aug. 8.	Fr. Arch. Étr., Espagne, vol. 723, ff. 228-229 v.
Sept. 12.	A. F. P. R. Examining administrative acts of regency.	<i>Ib.</i> , vol. 723, f. 259.
Sept. 12.	A. F. P. R. <i>Re</i> above and on Portugal.	<i>Ib.</i> , vol. 723, f. 260-263 v.
Dec. 10, 16, 27.	3 conferences with ordinary representatives A. F. P. R. and General Pozzo di Borgo and 2 Spanish ministers, Casa-Irujo and Conde d'Ofalia; <i>re</i> Spanish amnesty.	Espagne, vol. 724, ff. 330-337.
1824		
Jan. 8.	A. F. P. R. <i>Re</i> Congress on Sp. America.	Espagne, vol. 726, ff. 24-25.

<sup>17</sup> Chateaubriand promises not to recognize revolted South American colonies, but admits France cannot interfere by force because of Polignac's promise to Canning (Oct. 9, 1823). Prefers *résumés* to protocols.

<sup>18</sup> Chateaubriand tries to go back on his pledge against recognition.

<sup>19</sup> Conference approves Spanish reply (Apr. 30) to Canning's despatch Jan. 30 refusing a congress. N. B. Last conference attended by Chateaubriand (dismissed June 6).

<sup>20</sup> Villèle present, discusses question of Cuba and Porto Rico. Other allies approve his instructions to Governor of Martinique to interfere to repress revolt against Spain in these islands.

<i>Dates, and Representatives of States</i>			<i>References</i>
June 26.	A. F. P. R. <sup>21</sup>	(r?)	V. S. A., <i>Berichte aus Frankreich</i> , Bd. 358, Vincent to Metternich, June 26, no. 31 A.
June 30.	A. F. P. R., England, Naples. <sup>22</sup>	(p)	
July 3.	A. F. P. R. <sup>23</sup>	(r)	V. S. A., <i>Frankreich Varia</i> , Bd. 123.
July 30.	A. F. P. R. <sup>24</sup>	(r)	V. S. A., <i>Berichte aus Frankreich</i> , Bd. 357, Vincent to Metternich, July 3, no. 33.
Aug. 14.	A. F. P. R. (Spain, M. Zea, foreign minister elect). <sup>25</sup>	(r)	<i>Ib.</i> , Bd. 358, Vincent to Metternich, July 30, part, etc. Aug. 2/14 printed from <i>Fr. Arch. Étr., Espagne</i> , vol. 727, ff. 323-327, in <i>Am. Hist. Rev.</i> , XXII. 597-600. The whole series given in V. S. A., <i>Berichte aus Frankreich</i> , Bd. 358, Vincent to Metternich, Aug. 14 and Sept. 4, no. 48 B.
Aug. 26.	A. F. P. R. <sup>26</sup>	(r)	<i>Ib.</i>
Aug. 31.	A. F. P. R., Spain (M. Zea). <sup>27</sup>	(r)	<i>Fr. Arch. Étr., Espagne</i> , vol. 728, ff. 204-207.
Sept. 5.	A. F. P. R. <sup>28</sup>	(r)	V. S. A., <i>Berichte aus Frankreich</i> , Bd. 358, Vincent to Metternich, Sept. 27.
Sept. 12.			<i>Ib.</i> , Bd. 359, <i>id.</i> to <i>id.</i> , Oct. 4.
Sept. 21.	A. F. P. R. <sup>29</sup>	(r)	<i>Ib.</i> , <i>id.</i> to <i>id.</i> , Oct. 13, no. 62 B; <i>Fr. Arch. Étr., Espagne</i> , vol. 729, ff. 45-46.
Oct. 2.	A. F. P. R. <sup>30</sup>	(r)	V. S. A., <i>Berichte aus Frankreich</i> , Bd. 359, Vincent to Metternich, Nov. 6; P. R. O., France, 149: 60, Stuart to Canning, Oct. 11, 14, Nov. 1.
Oct. 5-12.	A. F. P. R. <sup>31</sup>	(r)	
Oct. 9, 30.	A. P. R., England (France excluded). <sup>32</sup>	(p)	V. S. A., <i>Frankreich Varia</i> , Bd. 123. (Heading only of Oct. 20 meeting given in <i>Fr. Arch. Étr., Espagne</i> , vol. 729, f. 147.)
Oct. 20.	A. F. P. R. <sup>33</sup>	(p)	

<sup>21</sup> *Re* exclusion of Dom Miguel from Portuguese throne.

<sup>22</sup> *Re* Madame Murat (Vienna Treaty).

<sup>23</sup> Warning Ferdinand against a constitution. The despatch suggests this conference may have been on June 29. (Known to Canning, P. R. O., France, 146: 59, Stuart to Canning, July 22.)

<sup>24</sup> Attitude of Canning to Portugal. (Known to Canning, P. R. O., France, 146: 59, Stuart to Canning, Aug. 2, 3.)

<sup>25</sup> Advice to Spain, objection to Portugal's intention to summon the Cortes, remonstrance to be sent.

<sup>26</sup> Deals with Spain. (Canning got copies of the résumés of Aug. 14 and 31, apparently from Portugal, and sent them to Vienna later in the year. P. R. O., Austria, 120: 67, Canning to Wellesley, Dec. 8, 1824.)

Sept. 21, A. F. P. R. Advice to Spain      Fr. Arch. Étr., Espagne, vol.  
22.      *re* forming her ministry.      728, ff. 328-335, 336-350 v.

Sept. 27. A. F. P. R.      *Ib.*, vol. 728, ff. 320-327 v.

<sup>27</sup> Deals with Spain. (P. R. O., Austria, 120: 67, Canning to Wellesley, Dec. 8, 1824. P. R. O., France, 146: 59, Stuart to Canning, Aug. 23, 1824, shows the latter knew of the conference of Aug. 14.)

<sup>28</sup> On the instructions to be given to their respective ministers in Spain.

<sup>29</sup> State of Spain.

<sup>30</sup> State of Spain.

<sup>31</sup> V. S. A. mentions Oct. 12 only. *Re* Allied action taken at Madrid.

<sup>32</sup> France excluded, as discussion turns on her treaty boundaries with Prussia (Vienna Treaty).

<sup>33</sup> Affairs of Spain, *re* loan to France if occupation to be continued. (Some of these October conferences were known to Canning. P. R. O., France, 146: 60, Stuart to Canning, Oct. 5, 14, 18.)

<i>Dates, and Representatives of States</i>		<i>References</i>
Oct. 26. A. F. P. R. <sup>34</sup>	(r)	V. S. A., Frankreich Varia, Bd. 123; Fr. Arch. Étr., Espagne, vol. 729, ff. 176-178.
Nov. 2. A. F. P. R. <sup>35</sup>	(r)	Fr. Arch. Étr., Espagne, vol. 729, ff. 243-245 v.; V. S. A., Berichte aus Frankreich, Bd. 359, Vincent to Metternich, Nov. 20.
Nov. 9. A. F. P. R. <sup>36</sup>	(r)	Fr. Arch. Étr., Espagne, vol. 729, ff. 318-321.
Nov. 16. A. F. P. R.	(r)	<i>Ib.</i> , vol. 730, f. 26.
Nov. 30. A. F. P. R.	(r)	V. S. A., Frankreich Varia, Bd. 123. <sup>37</sup>
Dec. 7. A. F. P. R. <sup>38</sup>	(r)	<i>Ib.</i>
Dec. 21. A. F. P. R. <sup>39</sup>	(r)	<i>Ib.</i>
Dec. 28. A. F. P. R. <sup>40</sup>	(r)	<i>Ib.</i>
1825		
Jan. 8. A. F. P. R. <sup>41</sup>	(r)	Printed in <i>Am. Hist. Rev.</i> , XXII. 601-606, from Fr. Aff. Étr., Espagne, vol. 731, ff. 55-58, 95-98, 163-164; also in V. S. A., Frankreich Varia, Bde. 122, 123.
Jan. 20. A. F. P. R.	(r)	XXII. 601-606, from Fr. Aff. Étr., Espagne, vol. 731, ff. 55-58, 95-98, 163-164; also in V. S. A., Frankreich Varia, Bde. 122, 123.
Jan. 28. A. F. P. R. (Spanish minister to London, Los Rios, present). <sup>42</sup>	(r)	N. B. The last two paragraphs quoted <i>Am. Hist. Rev.</i> , XXII. 605-606, of the résumé of Jan. 28 are missing in the Austrian version.
Feb. 4. A. F. P. R. <sup>43</sup>	(r)	V. S. A., Frankreich Varia, Bd. 123; Fr. Aff. Étr., Espagne, vol. 731, ff. 84-87.
Feb. 17- Mar. 1. A. F. P. R. <sup>44</sup>	(r)	Printed in <i>Am. Hist. Rev.</i> , XXII. 606-608; V. S. A., Frankreich Varia, Bd. 123.
Mar. 6. A. F. P. R. <sup>45</sup>	(r)	Frankreich Varia, Bd. 123.
Apr. 19. A. F. P. R. <sup>46</sup>	(r)	Printed in <i>Am. Hist. Rev.</i> , XXII. 608-611 (not found in Austrian Archives).

<sup>34</sup> *Re* Spanish attempt to limit amnesty and Portugal's attempt to create a constitution.

<sup>35</sup> *Re* French evacuation of Spain, etc.

<sup>36</sup> *Re* French evacuation of Spain, etc.

<sup>37</sup> The next two meetings the same.

<sup>38</sup> Decision of France to delay evacuation.

<sup>39</sup> Discretion to Allied ministers in Spain to give advice.

*Dates, etc.*

*Reference*

- |          |  |                                       |
|----------|--|---------------------------------------|
| Nov. 3.  | Boislecomte (French minister) announces to Damas (French foreign minister) his refusal to take part in a conference at Madrid <i>re</i> French evacuation. | Espagne, vol. 729, ff. 261-266 v.     |
| Nov. 7.  | Boislecomte to Damas, regards conferences at Madrid as abandoned.  | <i>Ib.</i> , vol. 729, ff. 294-296 v. |
| Nov. 10. | Damas to Boislecomte, instructs him to resume conferences but without protocols.   | <i>Ib.</i> , vol. 729, ff. 333-334.   |
| Nov. 13. | Boislecomte to Damas, "la réunion des Conférences [at Madrid] a été écartée".  | <i>Ib.</i> , vol. 729, ff. 371-376.   |

<sup>40</sup> Congratulations to Ferdinand on amelioration of his administration.

<sup>41</sup> *Re* Canning's decision to recognize certain Spanish American colonies—Colombia, Mexico, Buenos Aires.

<sup>42</sup> Approves Spanish despatch of Jan. 21 to British chargé at Madrid. See *Am. Hist. Rev.*, XXII. 603, n. 21.

<sup>43</sup> Effect of recognition on Portugal.

<sup>44</sup> Effect of above on Colombia.

<sup>45</sup> Effect of above on U. S. A.

<sup>46</sup> Spain, Cuba, U. S. A.



## Dates, and Representatives of States

## References

- June 26. A. F. P. R.<sup>47</sup> (r) Printed in *Am. Hist. Rev.*, XXII. 611-613; alluded to in V. S. A., *Berichte aus Frankreich*, Bd. 363, Vincent to Metternich, June 25; V. S. A., *Frankreich Varia*, Bd. 123.
- July 17. A. F. P. R.<sup>48</sup> (r) Printed in *Am. Hist. Rev.*, XXII. 614-616; V. S. A., *Berichte aus Frankreich*, Bd. 363, Vincent to Franck, July 21, no. 102 B; V. S. A., *Frankreich Varia*, Bd. 122.
- Aug. 6. A. F. P. R.<sup>49</sup> (r) *Fr. Arch. Étr.*, Espagne, vol. 733, ff. 174-175, 210-210 v.; V. S. A., *Berichte aus Frankreich*, Bd. 363, Aug. 9, Vincent to Franck.
- Aug. 19. A. F. P. R.<sup>50</sup> (r) V. S. A., *Frankreich Varia*, Bd. 122.
- Sept. 9. A. F. P. R.<sup>51</sup> (r) *Fr. Arch. Étr.*, Espagne, vol. 733, ff. 330-335; V. S. A., *Berichte aus Frankreich*, Bd. 364, Vincent to Metternich, Sept. 14, no. 107 B (but gives date as 10th, probably in error).
- Oct. 7. A. F. P. R.<sup>52</sup> (r?) *Fr. Aff. Étr.*, Espagne, vol. 734, ff. 37-38 (begun on 6th).
- Nov. 7. A. F. P. R.<sup>53</sup> (r?) *Ib.*, vol. 734, ff. 161-162 v.; V. S. A., *Berichte aus Frankreich*, Bd. 364, Vincent to Metternich, Nov. 8, nos. 117 D and F—gives date as Nov. 8.
- Nov. 9. A. F. P. R.<sup>54</sup> (p) *Fr. Aff. Étr.*, Espagne, vol. 734, ff. 197-197 v.; V. S. A., *Berichte aus Frankreich*, Bd. 364, Vincent to Metter-

<sup>47</sup> *Re Cuba*.

<sup>48</sup> U. S. A., Cuba, and Colombia. (Canning heard of this "from a quarter on which I can certainly rely". P. R. O., France, 149: 74, Canning to Granville, Sept. 16, 1825, no. 66. Cf. E. J. Stapleton, I. 299, where Canning says he heard of it Oct. 13 "from a foreign Court", probably Portugal.)

<sup>49</sup> Allied loans to Spain. (V. S. A., *Frankreich Varia*, Bd. 122, reports a similar conference Aug. 1.)

# Canning and the Paris Conferences

41

*Dates, etc.*

*Reference*

## FLORENCE

1825

- May 28. A. P. R., Naples. (Mett-  
nich présent, France ex-  
cluded.)
- Résumé in V. S. A., Weisun-  
gen nach England, Bd. 227,  
Mettternich to Esterhazy,  
Dec. 23, *re* continued Aus-  
trian occupation of Naples.

## MADRID

- July 12. A. F. P. R. *Re* Santo Do-  
mingo.
- Fr. Arch. Étr., Espagne, vol.  
733, ff. 44-46 v.

- Aug. 28. A. F. P. R. Verbal communi-  
cation by M. de Zea (Span-  
ish foreign minister) to all  
4 representatives.
- Ib.*, vol. 733, ff. 271-276.

<sup>50</sup> Spain advised not to give way over Cuba.

<sup>51</sup> Ditto.

<sup>52</sup> *Re* pope's reception of a deputation of Mexican clergy.

<sup>53</sup> On fall of Zea and appointment of Infantado by Ferdinand.

<sup>54</sup> On Infantado's circular of Nov. 6.

*Dates, and Representatives of States**References*

Dec. 12. A. F. P. R.

nich, Nov. 21, no. 119 A.  
Says conference met again  
on Nov. 19.  
P. R. O., Spain, 185: 102, F.  
Lamb to Canning, Dec.  
12.<sup>55</sup>

1826

Mar. 31. A. F. P. R., papal nuncio, (p)  
England.<sup>56</sup>V. S. A., Berichte aus Frank-  
reich, Bd. 367, Apponyi to  
Metternich, Apr. 1.May 26, A. F. P. R.<sup>57</sup>  
29.(p) V. S. A., Frankreich Varia,  
Bde. 122, 123.June 26. A. F. P. R.<sup>58</sup>(r) *Ib.*, Bde. 122, 123.July 25. A. F. P. R.<sup>59</sup>(r) V. S. A., Berichte aus Frank-  
reich, Bd. 369, Apponyi to  
Metternich, July 25.Aug. 17. A. F. P. R.<sup>60</sup>(r?) *Ib.*, Bd. 369, Apponyi to Met-  
ternich, Aug. 18.Aug. 20. Metternich reports for-  
mal refusal of Russia  
to continue the confer-  
ences over Portugal  
owing to fear of of-  
fending England.<sup>61</sup>V. S. A., Weisungen nach  
Frankreich, Bd. 372, Met-  
ternich to Apponyi, Aug.  
20.

<sup>55</sup> Asserts that project of loan discussed on Aug. 6 and Sept. 9-10 (*q.v.*) was  
again discussed about this time.

<sup>56</sup> *Re* Jérôme Bonaparte.

<sup>57</sup> *Re* French occupation of Spain, Spanish colonies, Portugal. N. B. This  
conference summoned by Apponyi. He was instructed by Metternich not to sum-  
mon another on his own initiative. V. S. A., Weisungen nach Frankreich, Bd.  
372, Metternich to Apponyi, May 31. (This conference known to Canning, see  
letter to Granville, July 14, private Granville MSS.)

[*Note.* After Aug. 25, 1825, no conferences at Madrid owing to dissensions of Allies—on results of which in stopping them see P. R. O., Spain, 102, F. Lamb to Canning, Dec. 12.]

<sup>58</sup> Spain advised not to accept guaranty of Cuba offered by U. S. A. and England.

<sup>59</sup> *Re* Canning and Portugal.

<sup>60</sup> Advises Spain not to give up Portuguese refugees. (Doubtful if résumé made; instructions sent to Brunetti, Austrian minister at Madrid, by Apponyi.)

<sup>61</sup> Canning had remonstrated to Russia about conferences. P. R. O., Russia, 65: 158, Canning to Disbrowe, July 12; and see Nesselrode to Lieven, Aug. 4, *ib.* Domestic, 65: 158.

FRENCH OPINION AS A FACTOR IN PREVENTING  
WAR BETWEEN FRANCE AND THE UNITED  
STATES, 1795-1800<sup>1</sup>

THE main facts relating to the diplomatic controversy between France and the United States during the period from 1795 to 1800 and the causes for the heroic policy of President Adams are well known. Little emphasis has heretofore been placed on the motives, other than the fear of American armed forces, which caused the Directory to abandon a policy which apparently tended to the destruction of the American government, with the establishment of a French protectorate, and to substitute for that policy one in which was asserted the desire to treat with American commissioners on terms of equality.<sup>2</sup>

Among those who contributed materially towards bringing about a better understanding between the two nations should be mentioned Louis-Guillaume Otto, who for a dozen years (1779-1792) resided in the United States, as secretary to Luzerne, French minister, and later as secretary of legation and *chargé des affaires*. He has been spoken of as a man notable for his ability as a diplomat, his remarkable learning, and sterling integrity.<sup>3</sup> Appointed chief commissioner of the political division of the Department of Foreign Affairs on his return to France, he was deprived of his office with the downfall of the Girondists. Recovering his freedom on the death of Robespierre, he was, at the close of the year 1795, again arrested on the charge that he had engaged in trade while serving as an official in the United States and on the additional charge of his friendly relations with La Forest and Petry, two members of the Commission of Four which was sent to the United States on the recall of Genet. Their powers had been revoked because they were

<sup>1</sup> Paper read at the Columbus meeting of the American Historical Association, Dec. 29, 1923.

<sup>2</sup> Bernard C. Steiner, *The Life and Correspondence of James McHenry*, pp. 228, 246, 256. *The Writings of John Quincy Adams*, ed. Ford, II. 132. On Mar. 3, 1797, Adams wrote: "They have vowed the destruction of the American government and are desirous to ascertain whether the American people will assist them in the laudable work."

<sup>3</sup> He is also referred to as a shrewd politician, a scholar among scholars who was indifferent to his greatness. Michaud, *Biographie Universelle*, XXXI. 483.

accused of "aristocracy and misdemeanors".<sup>4</sup> While defending himself, successfully, against these accusations, Otto also pleaded for La Forest and Petry as men who were remarkable for their probity and their talents.

Talleyrand, upon assuming office as minister of foreign affairs (July, 1797), called La Forest to his assistance as *chef de la direction des fonds*, and order was soon restored in that office. For years thereafter both La Forest and Otto received marked governmental favor.<sup>5</sup> The latter accompanied Sieyès to Berlin as secretary of the legation (1798) and it was chiefly through his efforts that the preliminaries for the Peace of Amiens (1801) were brought to a successful issue.<sup>6</sup>

A month before Talleyrand's induction into office, Otto presented for the consideration of the Minister of Foreign Affairs an extended report on the relations between the United States and France.<sup>7</sup> It is scarcely conceivable, because of his official relations with the author, that the facts related in this document and the advice contained therein were unknown to Talleyrand and that they were not ultimately to influence his conduct towards America.

French official agents in the United States failed to understand, Otto declared, that the Americans were a people isolated from the world of European politics and that this had led to misunderstandings, to suspicions and false reports which embittered the two nations whose relations should naturally be friendly. Arguing at length for this conviction, he reviewed the acts of the several representatives to this country. With the exception of Luzerne, who had promoted a good understanding between the two nations, the conduct of these representatives was, in general, condemned. Among those cited as outstanding offenders were Count de Moustier, who, displeased with the government and the people, left in America serious doubts and suspicions regarding the intentions of the French government. These misunderstandings were further developed

<sup>4</sup> Their recall was due to the representation of Fauchet, who as French minister was another member of the Commission.

<sup>5</sup> La Forest served as commissioner in the administration of the posts (1799), and in the following year was appointed one of the commissioners to negotiate with representatives from the United States.

<sup>6</sup> During the Empire he was numbered among the counsellors in extraordinary service in the Department of Foreign Affairs and represented France as minister at Munich and as ambassador at Vienna. He negotiated the marriage between Napoleon and Marie Louise and was named minister of state and made Comte de Mosloy by Napoleon.

<sup>7</sup> Delacroix was then minister of foreign affairs. "Considerations on the Conduct of the Government of the United States toward France, 1789-1797", Archives des Affaires Étrangères, États Unis, vol. 47, ff. 401-418.

through the sending of Genet and his successors, Fauchet and Adet. The report portrays vividly the policy of these French ministers and the reasons for resentment towards them in America.

The very words of Genet's instructions, "written by himself", would, Otto maintained, have frustrated his mission in America. He cites in addition the further flagrant errors of Genet, who instead of proceeding at once to Philadelphia landed at Charleston, where he displayed the French flag in public places, issued orders for the arming of privateers, and in his addresses presumed to criticize the American government as contrary to the public welfare, in so far as it differed from that of France. This unusual conduct on the part of a foreign minister who had not been presented to the government and whose mission had received no official recognition became more insulting when Genet accused Americans of ingratitude and attacked the government in the newspapers with the aim of provoking revolution. In such conduct, Otto stated, there was a failure to comprehend that while many Americans were applauding the successes of the French Revolution they were insisting on a policy of neutrality on the part of their government, a policy which was at the time equally desirable for both France and the United States. Such conduct justified Washington's demand for Genet's recall, the imprisonment of the consul at Boston, and the threat that other French consuls who persisted in insulting the state governments should be similarly treated.

In like manner, the policy of Fauchet was reviewed. In place of re-establishing a good understanding, following his instructions, Fauchet began to picture the American government as the tool of Great Britain, and, although America had by special effort met her financial obligations to France six years earlier than agreed upon, she was accused of refusing to pay her indebtedness. Finally Washington, because of the rumors of an insurrection, in which Fauchet was implicated, was forced to approve the Jay Treaty although he had asserted it need cause no alarm in France.

Through a letter widely circulated, Adet let it be known that the American mission was distasteful to him and proceeded to maintain the policy of his predecessors. To the activities of the French ministers and the seeming duplicity of their government, Otto declared, was due the victory of the Federalists in 1796, for even Thomas Jefferson was driven to the belief that it was the intention of the French to destroy the American constitution. It was not true, he asserted, that a division existed between the American people and their government. It was through the policy of French



agents that Americans had forgotten the bonds which bound them to France, and this attitude persisted in would force America to form a coalition with England.

While the Americans [he wrote in conclusion] do not at present possess a navy, they are undoubtedly the greatest navigators of the earth. More than 600 vessels are required annually to carry on their trade with Santo Domingo alone. . . . Free from danger of attack from without; deprived of freedom of commerce with the Antilles and Europe, their merchantmen will become pirates, and their sailors, much more able than those of England, will become the scourge of all nations that Great Britain wishes to attack. . . . The most experienced sailors, provisions, fish, lumber, naval supplies, which they furnish will be for the exclusive use of the enemy of France, and there will remain to us only the regret that we have erected the structure of American independence that it might contribute to the destruction of our commerce and our colonies.

French diplomats had thus far been worsted in their attempts to regain control of their former American possessions.<sup>8</sup> Grave fears had been expressed lest Thomas Pinckney in making the treaty with Spain (San Lorenzo, 1795) should also secure the cession of Louisiana and the Floridas to the United States, and there can be no doubt that the desire of France to control this territory was a significant motive leading to the consummation of the treaty with the United States.

A report which was submitted to the Minister of Foreign Affairs, nearly a year before the date of the *mémoire* prepared by Otto, declared:

If the Anglo-Americans possessed these rich countries, they would become masters of the Gulf of Mexico. They would have everything in their hands to create a formidable marine power, which in their service would make all the commerce of America and of our colonies dependent upon them. It is not necessary then to demonstrate that the Anglo-Americans will become strong at our expense and seize upon the richest provinces. On the other hand, it is desirable for us to rival them in negotiating for Louisiana, a project already conceived by the Executive Provisory Council. . . . By the acquisition of this country, we should have in abundance wood for building, pasturage for animals, rice, indigo, cotton, peltries, and a thousand other valuable products which would be at the ports of our colonies. We should then be more powerful in the New World than in Europe; we should attach the Americans to our political existence; they would be forced to observe strictly the treaties with France.<sup>9</sup>

<sup>8</sup> See articles by Frederick J. Turner, "The Policy of France toward the Mississippi Valley in the Period of Washington and Adams", in *Am. Hist. Rev.*, X. 249-280; and "The Diplomatic Contest for the Mississippi Valley", in *Atlantic Monthly*, XCIII. 676, 807.

<sup>9</sup> September, 1796, Arch. Aff. Étr., États Unis, vol. 47, f. 180.

In this statement, we see clearly outlined the motives underlying the future plans of Talleyrand and Napoleon. Throughout the year 1796, France strove, through various offers, to induce Spain to agree to the cession of Louisiana, but Godoy refused to yield.<sup>10</sup> For the foundation of an American colonial empire, the Directory, towards the close of the year, considered the following proposals: to secure Canada by conquest; to acquire Louisiana by cession or through the retransfer of eastern Santo Domingo to Spain;<sup>11</sup> to send a powerful armament to New Orleans.<sup>12</sup>

French ministers and agents in the United States, fully appreciating the danger of a French hostile policy, advised the restoration of a good understanding between the two nations. One of these, urging the necessity of acquiring Louisiana, declared: "I have said to you as well as to others that Louisiana and Florida are indispensable to the establishment of our colonies, for the building up of our commerce, our manufactures, and our marine; that New Orleans will be one day as celebrated as Philadelphia, will become the *entrepôt* of the West, the storehouse for our colonies; that upper Louisiana, once well peopled, will be a check against the Americans—a people active, ambitious, and enterprising."<sup>13</sup> In the event of a war, Kentucky and Tennessee, devoted to Thomas Jefferson, could be counted on to observe a strict neutrality.

Létombe, who was consul general, represented France in the United States after the recall of Adet, and claimed to have confidential relations with Jefferson. He urged the Directory to carry out a policy of temporization in dealing with representatives of the United States, "for Adams will be President for only three years and the seduction of the people will soon be at an end".<sup>14</sup> "By negotiation and delay", he said, "France and Spain will have time to negotiate for Louisiana and Canada and erect a dam against the torrent which without them would submerge Mexico, Peru, and all their islands. A double barrier to the ambition of the United States and England must be established at once, for in a few years it will be too late. Louisiana and the Floridas ought to be ceded to France, and France should prepare to take Canada and Acadia, where her former subjects have been calling her for a long time."

<sup>10</sup> Turner, "Policy of France toward the Mississippi Valley", in *Am. Hist. Rev.*, X. 268, 269.

<sup>11</sup> The part which France acquired by the Peace of Basel, July 22, 1795.

<sup>12</sup> *Writings of John Quincy Adams*, ed. Ford, II. 20, 31 n., 128.

<sup>13</sup> A. Sachouse, French special agent in the United States on behalf of Santo Domingo. The letter was addressed to Delacroix, minister of foreign affairs, Mar. 9, 1797, Arch. Aff. Étr., États Unis, vol. 47, f. 151.

<sup>14</sup> To Delacroix, June 7, 1797, Arch. Aff. Étr., États Unis, vol. 48, f. 420.

In July, 1797, Talleyrand became minister of foreign affairs. His travels in America had made clear to him the future importance of Louisiana and it is not surprising that the advice given his predecessor concerning that territory was early to become the foundation for his definite programme. Some three months before his appointment, he read a *mémoire* before the Institute in which he pointed out the advantages which would accrue to France through the acquisition of Louisiana.<sup>15</sup>

Great Britain was not unmindful of the possibility of the cession of Louisiana to the French and the serious consequences that would result to British interests.<sup>16</sup> But whatever designs on the West she may have harbored, Great Britain manifested, at this time of estrangement between France and the United States, the desire to make common cause with the latter. Munitions of war were on the request of the American government to be furnished by Great Britain, and a portion of her fleet, manned by American seamen and with British officers, was tendered for the protection of American commerce.<sup>17</sup>

Early in May, 1798, plans for an alliance between Great Britain and the United States seemed promising. The American government appeared to favor co-operation, with the understanding that Louisiana and the Floridas were to be seized by the United States and Santo Domingo was to become the property of Great Britain. To these proposals the British government assented, and the isolated state of the United States in the event of peace between Great Britain and France was forcibly portrayed.<sup>18</sup> Robert Liston, English

<sup>15</sup> Henry Adams, *History of the United States during the Administrations of Jefferson and Madison*, I. 354.

<sup>16</sup> For discussion, see James, "Louisiana in American Diplomacy", in *Mississippi Valley Hist. Rev.*, I. 49, 50.

<sup>17</sup> Grenville to Liston, Jan. 27, 1797, no. 2, Public Record Office, F. O. 115:5 (or 5:18): "If however a rupture should actually take place between the two countries or should appear highly probable, it is the King's pleasure that you should express his Majesty's willingness to afford a naval protection to the commerce of the United States against the attacks of the common enemy." Same to same, Oct. 20, 1798, no. 17, F. O. 115:6 (or 5:22): "His Majesty has been graciously pleased to consent to this request of the American Government on condition that the Cannon shall be returned into his Majesty's Stores at Halifax, whenever His Majesty shall think proper to require them."

<sup>18</sup> Liston to Grenville, May 2, 1798, no. 21, F. O. 5:22: "I make no doubt that your Lordship will find by Mr. King's conversation that the greatest object of their anxiety is the possibility of our concluding a peace with the French Republic and allowing the Directory to devote their whole attention and force to the vengeance they threaten to take on this country."

Lord Grenville wrote Liston, June 8, 1798, no. 12: "The Apprehension which you mention as prevailing in America respecting the Conclusion of Peace be-

AM. HIST. REV., VOL. XXX.—4.

minister, was instructed to say that any proposals for concert and co-operation would be cordially received by Great Britain; that guns were to be lent or sold to the United States; that engagements entered into should be scrupulously fulfilled even though Great Britain and France should come to terms; and that on all occasions he was to disclaim any desire, on the part of his government, to bind the United States to any permanent system of alliance for general purposes.<sup>19</sup> To what extent these favorable proposals were linked with the plan for revolutionizing South America can only be conjectured.<sup>20</sup>

The excitement throughout the United States became more intense during the summer of 1798 because of the prevailing belief that the French were preparing to invade America.<sup>21</sup> Such an attack, "if the French should be so mad as openly and formidably to invade these United States, in expectation of subjugating the government, laying them under contribution, or in hope of dissolving the Union", Washington said, would be directed towards the South, for the reason that the greater number of their friends were in that section of America, and "because they will be more contiguous to their islands, and to Louisiana, if they should be possessed thereof, which they will be if they can."<sup>22</sup> By the end of September, an American policy had been clearly outlined. For the time there was to be no alliance with Great Britain.<sup>23</sup> Should Spain be permitted by France to maintain absolute neutrality in her relations with the United States, the project for the seizure of Louisiana and the Floridas was to be suspended.<sup>24</sup> The independence of Santo Domingo and ultimately

tween Great Britain and France is certainly solid and well founded. . . . And in this manner the United States might be left, though against the Wishes and Interests of this Country, yet still unavoidably, exposed to the Resentment of France. . . . The conquest of Louisiana and Florida by the United States, instead of any Cause of Jealousy, would certainly be Matter of Satisfaction to this Government, and in that State of Affairs, it is also easy to see the Advantage which America would derive from seeing Saint Domingo in the Hands of His Majesty rather than of any other European Power." F. O. 115: 6.

For further evidence, consult James, "Louisiana in American Diplomacy", in *Miss. Valley Hist. Rev.*, I. 51, 52.

<sup>19</sup> P. R. O., F. O. 5: 22.

<sup>20</sup> For the relations between Pitt and Miranda, see Turner, in *Am. Hist. Rev.*, X. 276, 277, and Robertson, in American Historical Association, *Annual Report*, 1907, I. 317-325.

<sup>21</sup> "We are told that in addition to the immense armament collected at Flushing, gunboats and rafts of a peculiar construction are building in all the forts opposite to our eastern coasts." *Philadelphia Gazette*, June 29, 1798. King, *Life and Correspondence of Rufus King*, II. 294, 295, 301, 302, 308.

<sup>22</sup> Washington to Pickering, in Alexander Hamilton, *Works*, ed. J. C. Hamilton, VI. 319.

<sup>23</sup> P. R. O., F. O. 5: 22.

<sup>24</sup> Bernard C. Steiner, *Life and Correspondence of James McHenry*, p. 315.

that of the other West India islands and the establishment of freedom of intercourse with them were looked upon with favor.<sup>25</sup>

The growing cordial relationship between Great Britain and the United States was well known to the French authorities. They were advised of the projects to be carried out through this alliance, "to proclaim our colonies independent and to sustain their proclamation by all possible means, corruption, insurrection, famine, and their united forces".<sup>26</sup> The Floridas and Louisiana were likewise to be invaded and ultimately the mines of Carácas and of Potosí would be captured.

Numerous appeals were made to the Directory for the restoration of a good understanding between France and the United States based on the desirability of sustaining trade relations. In the event of a possible alliance between Great Britain and Russia, supplies obtained from the latter country could be secured from America alone. Their attention was called to the extent of the domestic and foreign trade of the United States,<sup>27</sup> which was carried on by her 40,000 sailors, in ships amounting in 1796 to 628,000 tons and increasing to 800,000 tons by 1798, or a larger amount of shipping than was ever possessed by France. "There exists scarcely a single port in the world", another *mémoire* declares, "where its commercial genius and its desire for profit have not thrust its ships and its adventurers."<sup>28</sup> "But is it not surprising", the writer continues, "that a nation which owes its independence to us takes scarcely three million francs of our manufactures whereas it pours one hundred and twenty millions into British workshops?" To overcome this disparity in trade and show a spirit of generosity it was suggested that French business houses should be established in American trade centres; that, forgetting all differences, some well-known French

<sup>25</sup> F. O. 5: 22. "Mr. Adams said it was natural they should throw themselves into the arms of America and he considered it as the interest of the United States to enter into some kind of agreement with them. There was nothing, he added, that had prevented him from adopting the measure but the apprehension of giving umbrage to Great Britain who still appears to have other views with regard to the island." Santo Domingo, as an independent republic, was not regarded with favor by the British government. "In a Conference with Lord Grenville, he had heard with horror from Mr. Liston that in a conversation between you and him, you had intimated an idea that our Government might be disposed to countenance the establishment of a Republic of Blacks in St. Domingo." *Life and Corr. of Rufus King*, II. 368.

<sup>26</sup> Arch. Aff. Étr., États Unis, vol. 49, f. 462.

<sup>27</sup> *Mémoire* of July 15, 1798. The name of the writer is not given. Arch. Aff. Étr., États Unis, vol. 50, f. 61.

<sup>28</sup> *Mémoire*, Arnould Barthélemy Berrenbroeck, Arch. Aff. Étr., États Unis, vol. 50, f. 284.

minister should be sent to the United States; that the indiscriminate capture of American vessels by French privateers should be forbidden and that commissioners should be appointed to consider the claims of the two nations.<sup>29</sup>

Among the minority in the Council of Five Hundred, there were men who voiced similar appeals. "We believe we take vengeance on the English", one of them exclaimed. "We serve them. To embitter the United States, is that not to cause them to lean towards Great Britain? To ruin the American commerce, is that not to increase the strength of Great Britain?"<sup>30</sup> Another member, in demanding the repeal of the law under which French privateers were operating, declared that France was violating the most sacred laws of nations and making herself enemies of every people.<sup>31</sup>

Meantime, Talleyrand continued to play at negotiation with Elbridge Gerry. "It would be attended only with serious inconveniences", he said, "to break at once with the United States, while our present situation, half friendly, half hostile, is profitable to us, in that our colonies are still provisioned by the Americans and our cruisers enriched by captures made from them."<sup>32</sup> Besides he was gaining time for furthering his negotiations for Louisiana, and to that end Guillemardet was attempting to carry out his instructions at Madrid. Spain was to be made to realize her mistake in surrendering the forts on the Mississippi and thereby sacrificing her defense against the encroachment of the Americans upon her colonies.<sup>33</sup> The United States were to be shut up "within the limits which nature seems to have traced for them: but Spain is not in condition to do this great work alone". Louisiana and the Floridas, as French possessions, would become "a wall of brass forever impenetrable to the combined efforts of England and America".<sup>34</sup> By July 10, 1798, Talleyrand was able to report a yielding on the part of Spain "and her increasing favor toward the plan of having French troops, rather than Spanish, meet the expected invasion of Louisiana by England and the United States".<sup>35</sup>

During the month of May, 1798, Victor Du Pont, formerly French consul at Charleston, was sent as consul general to the United States. President Adams refused him an exequatur, and

<sup>29</sup> Citizen Hauteval to the Minister of Foreign Relations, July 23, 1798, Arch. Aff. Étr., États Unis, vol. 50, f. 118.

<sup>30</sup> June 20, 1797, Arch. Aff. Étr., États Unis, vol. 47, f. 419.

<sup>31</sup> *Writings of John Quincy Adams*, II. 369.

<sup>32</sup> G. Pallain, *Le Ministère de Talleyrand sous le Directoire*, p. 309.

<sup>33</sup> H. Adams, *History of the United States*, I. 355 ff.

<sup>34</sup> Compare with the language of Létombe, June, 1797, *ante*, p. 48.

<sup>35</sup> Turner, "Policy of France", in *Am. Hist. Rev.*, X. 276.

after an interview with Jefferson he returned to France. In his report to Talleyrand, he demonstrated that it would be to the interest of France by all means within its power to avoid war with the United States.<sup>36</sup> Talleyrand had asked for facts and Du Pont replied that there were so many it was hard to make a choice, since the acts of violence, brigandage, and piracy committed by French cruisers or under the French flag in American seas would fill many volumes. The report showed unmistakable evidence that Talleyrand's whole plan for American colonial power was in danger. Basing his opinion on "confidential conversations" with Jefferson, Du Pont argued that it would not be prudent to throw the power of America into the balance with England, for that would mean the loss of American commerce to France; that a war between the two republics would cause the United States to sacrifice their liberty through an alliance with Great Britain and would enhance the maritime strength of the latter power. France and Spain would be forced to sacrifice their colonies, Mexico would be exposed, and England would become doubly powerful. He urged that a policy of justice and moderation should be adopted in treating with America. To these ends, the acts of French privateers were to be disavowed and their commissions retired; the laws against neutrals were to be revised; and the American government was to be informed that a new commission sent to Paris, Holland, or Spain would be received. These were likewise the opinions, he declared, of the most notable leaders among the Republicans; and, if such a policy were adopted, that party would be victorious in the approaching elections.<sup>37</sup>

These arguments and the further influence of Du Pont on French public opinion have been stated to be the cause for the steps leading to a friendly disposition towards the United States.<sup>38</sup> While it is evident that Talleyrand was already possessed of the facts in the controversy and had reached conclusions similar to those of Du Pont, he hastened to take advantage of the *mémoire*.<sup>39</sup> On July 27,

<sup>36</sup> Du Pont's first despatch to Talleyrand was from Bordeaux, July 6, 1798. Arch. Aff. Étr., États Unis, vol. 50, f. 8.

I first called attention to the influence of Du Pont in an article written for the *Miss. Valley Hist. Rev.*, I. 54 (June, 1914). The *mémoire* and correspondence were published (November, 1915), by Samuel E. Morison, in the *Proceedings* of the Massachusetts Historical Society.

<sup>37</sup> July 21, 1798, Arch. Aff. Étr., États Unis, vol. 50, f. 99.

<sup>38</sup> *Writings of John Quincy Adams*, II. 361, 362.

<sup>39</sup> On June 1, he prepared a report to the Directory in which he urged a policy of temporization in order to produce a Republican victory in the coming elections. Morison, in *Proceedings* of the Massachusetts Historical Society, XLIX. 76, notes.



four days after the report was written, Talleyrand made it the foundation of an appeal to the Directory for a policy of reconciliation with the United States, and on July 31 a decree was passed restraining French privateers in the West Indies within the limits of the laws.<sup>40</sup> This decree was received by Gerry on the eve of his embarkation for the United States. It was accompanied by a personal note from Talleyrand stating that it was within the power of the United States to cause all misunderstandings between the two nations to disappear. By the middle of July, William Vans Murray, American minister at the Hague, had been informed by Pichon, French secretary of legation there, that the French were desirous of an accommodation with America.<sup>41</sup> This interview, interpreted by Murray as a ruse to get him into informal negotiations, was followed by others. Finally a communication from Talleyrand, of September 28, which was sent to Murray, declared that "any minister sent by the United States to France would be received with the respect due to the representative of a free, independent, and powerful nation".<sup>42</sup>

The facts connected with the appointment of a second commission of three and the results of their labors are well known.<sup>43</sup> Arguments in favor of their friendly reception by the French government were stated as follows:<sup>44</sup> that the power of the Republican party would thereby be increased; that the alliance, both offensive and defensive, between Great Britain and the United States would be made impossible; and thus the Americans would be prevented from carrying out their plans for war against Spain, whereby they would be enabled to seize Florida and Louisiana. Among the other chief objects urged by Talleyrand in his report to the First Consul on the

<sup>40</sup> For the decree see *Am. St. Pap., For. Rel.*, II. 222, 223.

<sup>41</sup> William Vans Murray to John Adams, July 17, 1798, J. Adams, *Works*, VIII. 679, 687. See also letters of Murray to J. Q. Adams in *Am. Hist. Assoc., Annual Report*, 1912, pp. 438, 445, 462-480. Pichon declared that an American war would be highly unpopular in France and that their colonies would be in danger should it occur. Pichon, as secretary to Genet and Fauchet, had become acquainted with Murray at Philadelphia.

<sup>42</sup> Arch. Aff. Étr., États Unis, vol. 50, f. 233. *Am. St. Pap., For. Rel.*, II. 242. This language was identical with that which had been used by President Adams in his message to Congress, June 21. Richardson, *Messages and Papers*, I. 266.

<sup>43</sup> President Adams, as early as October 20, consulted Secretary Pickering on the advisability of keeping the channels of negotiation open. He stated that he was prepared to nominate another minister to France if given assurances of his proper reception. J. Adams, *Works*, VIII. 60. The proposal was opposed by the Cabinet.

<sup>44</sup> Consul General Létombe to Talleyrand, Arch. Aff. Étr., États Unis, vol. 50, f. 127.

need for reconciliation, were security for the French and Spanish insular possessions, and the desirability of developing trade relations with the Americans, thereby depriving the English of this source of gain, for the shipping of the United States would soon be the equal of that of England. Moreover, they would aid in the creation of a rival to Great Britain, since the United States, with its rapidly growing population and great territorial possessions, capable of cultivation, would ultimately be inhabited by a people greater in numbers than that of any European state.<sup>45</sup>

JAMES ALTON JAMES.

<sup>45</sup> Talleyrand to Bonaparte, Mar. 3, 1800, Arch. Aff. Étr., États Unis, vol. 51, f. 357.

## SOME ANTECEDENTS OF THE DRED SCOTT CASE<sup>1</sup>

THE product which the mills of the law grind out unceasingly is the judicial decision. The vast accumulation of decisions, which the lawyer calls precedents, is fraught with peril for the profession, for no one mind can hold them all, and in spite of ingeniously devised digests, some point may escape the advocate which his opponent may seize to vanquish him. But what may be poison to the lawyer is meat for the historian. He is not heard to complain of the wealth of material. The more, the better. And he need not travel to distant archives. This vast collection is at his very door, especially if his door opens on a university quadrangle.

To produce the judicial decision and the law report which embodies it, no expense is spared: courthouses and jails, judges, juries and lawyers, bailiffs and sheriffs, law schools and libraries, printing-presses and stenographers—the government and the parties to the litigation pay the piper, heedless of the historian standing on the side-lines collecting *leitmotive* for his own *opera*. For, in producing the ultimate law report, the machinery of the law turns out a by-product, not of a value so elemental, perhaps, but adding a glory to life. The peasant who sank his well between Vesuvius and the sea sought water, but found Herculaneum.

As the lawyer turns over the pages of a report, scenting a precedent, there flashes on his eyes the description of a fight at sea. A Spanish schooner, laden with Africans newly landed at the barracons of Havana, is proceeding thence to Puerto Principe, when the slaves rise, kill the captain, and take possession of the ship. They spare the lives of two Spanish passengers, "to assist them in the sailing of the vessel", and direct them to navigate the ship "for the coast of Africa". By day they are steered toward Africa, but by night toward our hospitable shores, and after two months of zigzag arrive in the high seas near Long Island, where some of them land

<sup>1</sup> A paper read at the meeting of the American Historical Association in Columbus, Dec. 27, 1924, under the title "A By-Product of the Law". The paper is itself a by-product of the work in which Mrs. Catterall has for some years been engaged on behalf of the Department of Historical Research of the Carnegie Institution of Washington, the compiling of a "source-book" of the history of American slavery, in several volumes, consisting of the texts of all the historical or narrative matter, and abridgments of the legal matter, of cases respecting negroes or slavery in the judicial reports. The first volume of this compilation is nearly ready for the press.

for water. A United States brig finds the *Amistad* and brings her into the port of New London where she is libelled in the district court of the United States. The Africans are taken into the custody of the marshal of the district and confined in the jails of New Haven and Hartford. Are they pirates? Are they Spanish "merchandise . . . rescued out of the hands of . . . pirates" (themselves rescued from themselves)? Have they violated the laws of the United States by importing themselves, slaves, into the United States? These questions are answered by Judge Story in 15 Peters 518, beginning at page 587. The whole story is vivid because told by eye-witnesses; it is accurate, for the evidence is given under oath; it is accessible, for it is in every good law library.<sup>2</sup>

Open volume I. of the *Missouri Reports*—the rare first edition. Previous experience has given you the expectant exhilaration of the gold-hunter or the archaeologist. On page 608, we make the acquaintance of a family of slaves, whom we learn to know better later on: Celeste, Antoine, Paul, Sophia, Margarete, Catiche, Carmelite, Mazelite, La Couture, Zabelite. It sounds like a collection of semi-precious stones. But no; these are the names of Joseph Tayon's Indian slaves, who have petitioned for freedom in the St. Louis circuit court. The case is dated 1826, but, in the second volume of the *Missouri Reports*,<sup>3</sup> we trace the family back to 1730, when their Indian ancestress was captured during the massacre of the Natchez Indians by the French and brought to Fort Chartres near the Mississippi River, in the present state of Illinois. There she was sold as a slave, and her daughter, Marie Scipion (her reputed father being a negro named Scipion), was born about ten years later. Marie Scipion was bought by the mother-in-law of Joseph Tayon and given to her daughter on her marriage.

Sebastian Pratte, who went to Fort Chartres in 1756 or 1757 and lived in Tayon's family, deposed<sup>4</sup> (in 1806)

that there were at Fort Chartres and elsewhere through the country a great many Indian slaves and but few blacks; that the Indians were universally acknowledged as slaves, and frequently sold as such before the Governor; that he himself sold [several,] one to . . . the English Commandant at Kaskaskia; . . . that a majority of the Indians held as slaves, were brought down the Missouri by the traders, and were of different nations; that there were many Indian slaves in St. Louis after the first establishment, and but few blacks.

<sup>2</sup> For a further account, by a layman, see Joseph Sturge's *Visit to the United States in 1841*, p. 68, and appendix E.

<sup>3</sup> *Marguerite v. Chouteau*, 2 Mo. 71.

<sup>4</sup> *Marguerite v. Chouteau*, 2 Mo. 71 (74).

After the Illinois country east of the Mississippi was ceded to the English in 1763, many of the French inhabitants (among them Pierre Chouteau, the son-in-law of Tayon) crossed the Mississippi and settled at St. Louis, a trading-post south of the mouth of the Missouri River, preferring to continue under the rule of France. They did not know of the secret treaty of 1762<sup>5</sup> which transferred the province of Louisiana to Spain, "but no effectual possession of the country was taken [by Spain], until the arrival of Governor O'Reilly in 1769".<sup>6</sup> In December he issued a proclamation in New Orleans which roused consternation in the hearts of the owners of Indian slaves. It ordered "that the actual proprietors of . . . Indian slaves shall not dispose of those whom they hold in any manner whatsoever unless it be to give them their freedom". Tayon's daughter "read the ordinance to her father [who had removed to St. Louis about this time], and conversed with him on the risk he ran of losing [*sic*] his Indian slaves, . . . and she remembered he sold one of these slaves and was compelled to take it back and hush it up, lest he should be fined under the ordinance", and she also "remembered to have heard her father say, after the publication of the ordinance, that Marie Scipion and her children would be free at his death in consequence of that ordinance".<sup>7</sup> He told Jean B. Reviere that "Marie Scipion lived in his family of her own free will and consent, because she was well treated and chose to remain with him", but that she and her children "were at liberty to leave him at any time they pleased, but if they chose to remain till his death they should never serve anybody".

But Tayon lived to a ripe old age. In 1799 he distributed his slaves among his eight children,<sup>8</sup> the daughters' shares in that day belonging to their respective husbands. In 1802 Marie Scipion died in St. Louis, "aged about sixty years",<sup>9</sup> having been "removed sick" from "the house of Mr. Chouteau, (where Tayon then lived,)" to the home of Tayon's daughter, Madame Chauvin. The danger lurking in O'Reilly's proclamation passed with the retrocession of Louisiana to France, but, after the purchase by the United States, one of the Indian slaves "was set free from the custody of Pierre Chouteau [by a court of the Territory of Missouri] and immediately claimed by Tayon".<sup>10</sup> He did not wish the slaves lost to

<sup>5</sup> Confirmed by the definitive treaty of 1763.

<sup>6</sup> *Seville v. Chretien*, 5 Mart. La. (o.s.) 275 (284).

<sup>7</sup> *Marguerite v. Chouteau*, 2 Mo. 71.

<sup>8</sup> *Little v. Chauvin*, 1 Mo. 626.

<sup>9</sup> *Marguerite v. Chouteau*, 2 Mo. 71.

<sup>10</sup> *Catiche v. Circuit Court*, 1 Mo. 608.

the family, and, as Chouteau had had his day in court, Tayon claimed that the distribution in 1799 was not a gift but a loan of the children and grandchildren of Marie Scipion, and obtained, in 1806, a warrant for their apprehension. They were brought into court and there was an irregular sort of trial in which depositions were read as to the actual existence of Indian slavery in the Mississippi Valley under the French régime, and its subsequent status under Spain;<sup>11</sup> for the treaty ceding Louisiana to the United States provided that the inhabitants should be "protected in the free enjoyment of their . . . property".<sup>12</sup> The jury found "that the persons claimed . . . are really slaves, and the property" of Tayon. Thus his title was quieted for many years.

In 1825, "Catiche and others", descendants of Marie Scipion, petitioned the circuit court of St. Louis County "for leave to sue in that court, as paupers, for their freedom". The court refused, and a writ of *mandamus* issued from the Supreme Court of Missouri, commanding the circuit court "to admit the plaintiffs or to shew cause". The circuit court declared that the records of the case of 1806 showed that "the absolute slavery" of the petitioners was established. The Supreme Court decided that those proceedings were "without any legal authority, and consequently null and void. . . . that a person held in bondage, should be compelled to come into court, and say he is free, and this to be done, too, at the instance of a person claiming his services, appears somewhat strange," says Judge Tompkins. "Let a peremptory *mandamus* go." The result of the leave to sue, so extorted, is seen in suits for freedom brought soon after by Catiche<sup>13</sup> (*alias* Theoteste) and by Marguerite,<sup>14</sup> the sister of Catiche and of Celeste.

Marguerite sued Pierre Chouteau for her freedom on the ground of her descent in the maternal line from an Indian woman, the Natchez captive, her grandmother. In regard to the

<sup>11</sup> "Governor O'Reilly, in 1769, on taking possession of the colony, discovered that a considerable number of Indians were held in slavery by the French colonists. This he declared, by a proclamation, to be contrary to the wise and pious laws of Spain; but, by the same instrument, he confirmed the inhabitants in their possession of such Indian slaves, until the pleasure of the king in this respect could be known. . . . It never was declared. The colony, without any change in the condition of the original population, is receded to the French nation, and by it transferred to the United States, under a treaty securing to its inhabitants their rights to property, as they stood under the former government." Seville *v.* Chretien, 5 Mart. La. (o.s.) 275 (289, 290).

<sup>12</sup> 8 U. S. Statutes at Large 200 (202).

<sup>13</sup> Theoteste *v.* Chouteau, 2 Mo. 144.

<sup>14</sup> Marguerite *v.* Chouteau, 2 Mo. 71; 3 Mo. 540.

status of the offspring of slaves, the civil law doctrine, "*partus sequitur ventrem*", prevailed (except for a short time in Maryland), so that, if Marguerite's mother's mother was free, it mattered not that her father was a negro slave. The judgment of the circuit court was in favor of Chouteau, and Marguerite appealed to the Supreme Court of Missouri. Only two justices were present. Judge Tompkins was for reversing the judgment of the circuit court because an Indian slave population [90] "was unknown to the laws and government of France". Judge Wash considered it [91] "clearly settled by the testimony" that Marguerite's grandmother "was reduced to slavery" by the French, "that her descendants have been held in slavery ever since"; and [93] "that Indian slavery . . . should be placed upon the same footing with negro slavery. . . . There being a division of the court, by operation of law" the judgment of the circuit court in favor of Chouteau was affirmed. This was in 1828. Marguerite having been unsuccessful in obtaining freedom on the ground of descent from an Indian woman, her sister Catiche brings suit against Chouteau on a different ground. She was born in the year 1782, at Prairie du Rocher, about four miles from Marie Scipion's old home, Fort Chartres, the remnants of which, after an inundation of the Mississippi in 1772, had been demolished and abandoned by the English. But her birth in the Northwest Territory did not avail, as it occurred before the passage of the Ordinance of 1787. The court declared, in 1829, that "it cannot be supposed Congress intended" to violate the provisions of Virginia's act of cession "that the inhabitants [of the ceded territory] shall be protected in the enjoyment of their rights and liberties". But all is not yet lost.

In 1833 the parties in the case of Marguerite *v.* Chouteau appeared before the Supreme Court by their counsel and "mutually agreed that the judgment in this cause before rendered in this court should be set aside, and that it should be again argued before the court, consisting of all the Judges".<sup>15</sup> Judge Tompkins delivered the opinion of the court, Judge McGirk concurring. He amplified his former opinion that Indians were not slaves under the French and Spanish régimes, and criticized the decision in *Seville v. Chretien*,<sup>16</sup> the famous Louisiana case, which he "particularly examined", consuming 27 printed pages in so doing. The judgment of the circuit court in favor of Chouteau was reversed,<sup>17</sup> and Mar-

<sup>15</sup> Marguerite *v.* Chouteau, 3 Mo. 540 (572).

<sup>16</sup> 5 Mart. La. (o.s.) 275.

<sup>17</sup> And the cause remanded. After judgment was rendered in favor of Marguerite, Chouteau sued out a writ of error in the Supreme Court of the



guerite became free; consequently Catiche, and the other descendants of Marie Scipion. Judge Wash held to his former opinion:

[574] The evidence derived from the old archives of the country—the registers of baptisms and burials—the records of voluntary sales, and of the sales and distributions made of the estates of intestates with the clear and positive testimony of witnesses sworn in this cause, exhibit beyond doubt or question, numerous cases of Indian slavery commencing with the earliest settlement of the colony and continuing after the period when the Spaniards assumed the government in 1769. . . . [576] To regard the question then, as one to be settled by the laws which were in force prior to 1769 when Spain took possession of Louisiana, I can feel no doubt and the practice is shown to have been pursued and recognized by the Spaniards, under neither of the governments that have preceded us, could the plaintiff have asserted successfully her claim to freedom.

When judges disagree, is it folly for the historian to be wise? What conclusion will he draw?

After disposing of the question of Indian slavery in Louisiana under France and Spain, the Missouri courts wrestled for seventeen years with another problem as distant in time, and more remote in space: Did negro slavery exist in Canada in 1768? In that year a negress, Rose, was born in Montreal. About the year 1791, John Stock, an Indian trader, removed her to Mackinaw, and later to "his trading post at Prairie du Chien, in the northwestern territory. . . . where she was detained by him as his slave until his death",<sup>18</sup> in 1793 or 1794. She was then "brought down to St. Louis by a certain Andrew Todd,<sup>19</sup> a trader, who sold her [in October, 1795] as a slave to a Mr. Didier",<sup>20</sup> "a curate of the parish of St. Louis. . . . [199] by a formal conveyance executed before the Lieutenant Governor of Upper Louisiana and authenticated by him".<sup>21</sup> Didier sold her and her children, in 1798, to Auguste Chouteau, the father of Gabriel S. Chouteau, against whom Rose's children Pierre and Charlotte bring suits for their freedom fifty years later. Evidence is given in Chouteau's behalf "tending to show the actual existence of slavery in Canada in the year 1768—that slaves were recognized as property and subject to be sold; that Rose . . . was sold as a slave in Canada".<sup>22</sup> "During the period of Rose's detention at

United States, but the writ was dismissed for lack of jurisdiction. *Choteau [sic] v. Marguerite*, 12 Peters 507 (1838).

<sup>18</sup> *Charlotte v. Chouteau*, 11 Mo. 193.

<sup>19</sup> Who had "the monopoly of the Indian trade" on the Mississippi. *Chouteau v. Molony*, 16 How. 203 (222).

<sup>20</sup> *Charlotte v. Chouteau*, 21 Mo. 590.

<sup>21</sup> *Same v. same*, 11 Mo. 193.

<sup>22</sup> *Chouteau v. Pierre*, 9 Mo. 3.

Prairie du Chien, that post was in the possession of British subjects." It was held in 1845, in Pierre's case, that "the ordinance of 1787 . . . never had any force or validity in the posts . . . occupied by Great Britain", at the time Rose lived at Prairie du Chien; that "the north-western posts were not, until after 1st June, 1796, surrendered by Great Britain—that her subjects within them owed no allegiance to our government—that they were protected in the enjoyment of their property". The court also declared that it devolved on Pierre "to show the law forbidding negro slavery in Canada; for . . . a court would not be warranted in saying, that institution was illegal in places where it actually existed, for want of a law expressly authorizing it". The judgment of the lower court in favor of Pierre was reversed and the cause remanded.

Then Charlotte begins her fight for freedom. Rose's residence at Prairie du Chien is not stressed, as that fact was definitely settled in Pierre's case to be no ground for freedom; but in four volumes<sup>23</sup> of the *Missouri Reports*, beginning in 1847 and not ending till 1862, the battle of the lawyers, juries, and judges rages over the question of the existence of slavery in Canada when Rose was born and lived there. The juries persisted in finding that slavery did not exist then and there, in spite of the contrary evidence of treaties, proclamations, acts of Parliament, and the depositions of learned Canadian jurists. In the final decision, the court admitted that the judgment of the lower court in favor of Charlotte

[201] was founded upon a verdict which was rendered against the weight of the evidence. Notwithstanding that we might believe that the verdict should have been rendered for the defendant [Chouteau], yet the practice is so well established, not to reverse a judgment because the verdict appears to have been rendered against the weight of evidence, that we will not, for that cause, interfere in this case.

Charlotte won her freedom seventeen years after the Supreme Court had decided adversely to Pierre. In 1862 the question whether slavery existed in Canada in 1768 was becoming academic.

These cases furnish examples of facts gleaned from the law reports, as the lawyer conceives of facts as distinguished from the law; but to the historian, the arguments of counsel, the verdict of the jury, and the reasoning of the court are derivative facts, no less valuable, as showing the trend of public opinion, and the history of civilization; as, to a student of the newspaper, the battle, murder, and sudden death on the front page are not more important than the subsequent editorial in disclosing the spirit of the times.

<sup>23</sup> *Charlotte v. Chouteau*, 11 Mo. 193; 21 Mo. 590; 25 Mo. 467; 33 Mo. 194.

The *Missouri Reports* contain a striking line of cases illustrating this latter sort of facts, cases showing the evolution of judicial opinion in regard to the status of the slave who sets foot on free soil.

In England the earliest statement of the doctrine on this subject employs a different figure. "In the Eleventh of Elizabeth, one Cartright brought a Slave from Russia, and would scourge him, for which he was questioned; and it was resolved, That England was too pure an Air for Slaves to breath[e] in";<sup>24</sup> a maxim jeered at, two hundred years later, by Attorney General Martin of Maryland: "The British air is supposed to electrify the flesh—putting a foot on the island, the nature is instantly changed, and if a slave before, becomes free."<sup>25</sup> I have not the time now to trace the whole history of the two maxims which express an identical idea. The "mere dictum" of Lord Chief Justice Holt early in the eighteenth century,<sup>26</sup> that "as soon as a negro comes into England, he becomes free", caused anxiety to many merchants, and in 1729 they earnestly solicited "Sir Philip Yorke, then Attorney-General [later Lord Chancellor Hardwicke] and Mr. Talbot, Solicitor-General" ("in Lincoln's Inn Hall, after dinner") for their opinion. It was, "that a slave, by coming . . . to Great Britain or Ireland, doth not become free; and . . . that the master may legally compel him to return to the plantations";<sup>27</sup> an opinion affirmed by Lord Chancellor Hardwicke in 1749, in the case of *Pearne v. Lisle*.<sup>28</sup> He declares that the maxim invoked by Lord Chief Justice Holt "That the moment a slave sets foot in England he becomes free, has no weight with it". But in 1762 Lord Chancellor Henley, in *Shanley v. Harvey*,<sup>29</sup> begins his brief opinion in favor of the negro Harvey: "As soon as a man sets foot on English ground, he is free." Then comes the famous *Somerset Case* in 1771-1772.<sup>30</sup> James Somerset, a "negro of Africa", had accompanied his master, Charles Steuart,<sup>31</sup> from Virginia to London in 1769, and in 1771 quitted his master's service and

<sup>24</sup> Rushworth's *Historical Collections*, II. 468.

<sup>25</sup> *Mahony v. Ashton*, 4 Har. and McH. 295.

<sup>26</sup> *Smith v. Brown and Cooper*, 2 Salk. 666.

<sup>27</sup> 33 *Dict. of Dec.*, 14547.

<sup>28</sup> Amb. 75.

<sup>29</sup> 2 Eden 126.

<sup>30</sup> Lofft 1; 20 Howell's *State Trials*, 1.

<sup>31</sup> "Charles Steuart was born in Orkney in 1729, came to Virginia in 1741, and was long a merchant in Norfolk. Later he was successively Surveyor General and Receiver General of the Customs in North America. He returned to England in 1769. He was a kind master. A negro, named Somerset, whom he took with him to England, became so vicious, insolent and insulting, that Mr. Steuart determined to send him to the West Indies." 16 *Va. Mag. Hist.*, 144 n.

absolutely refused to return to it. Thereupon Steuart delivered Somerset to Captain Knowles of the *Ann and Mary*, a vessel lying in the Thames, bound for Jamaica, "to be kept till he should set sail, and then to be taken with him to Jamaica, and there sold as a slave". While Somerset was "confined in irons on board" the ship, Thomas Walklin, Elizabeth Cade, and John Marlow applied to Lord Mansfield for a writ of *habeas corpus*. The writ was allowed, "directed to Mr. Knowles, and requiring him to return the body of Sommersett<sup>32</sup> before his lordship, with the cause of detainer". He did so and in June, 1772, Lord Mansfield overruled the decision of Lord Chancellor Hardwicke, by declaring that Somerset must be discharged: "So high an act of dominion must be recognized by the law of the country where it is used. . . . It's so odious, that nothing can be suffered to support it, but positive law." "Thus fell", says Lord Stowell, "a system, confirmed by a practice which had obtained without exception ever since the institution of slavery in the colonies, . . . and it fell without any apparent opposition on the part of the public."<sup>33</sup>

In 1797 Williams,<sup>34</sup> a runaway slave from the island of Grenada, "entered at London on board the *Holderness* bound for Grenada, as an ordinary seaman out and home". On his return to Grenada his former master claimed him, but manumitted him on the payment of "30 joes" by the captain of the ship, Williams agreeing to serve again as a sailor on the *Holderness*, but at wages lower than the current rate. But when he got back to London he sued for his wages upon a *quantum meruit*, claiming that there was no consideration for his agreement to serve for less, in that he was already free, having set foot in England. The four judges held a different opinion. Lord Chief Justice Alvanley declares, he was "free as any of us while in England" but in Grenada he "was a runaway slave". The four judges all concurred "in this—that he was a slave in Grenada, though a free man in England; and he would have continued a freeman in all other parts of the world excepting Grenada".<sup>35</sup>

"In 1822, Mrs. Allan of Antigua came to England, bringing with her a female attendant, by birth and servitude a domestic slave, named Grace",<sup>36</sup> and in 1823 Grace accompanied her mistress "voluntarily on her return to Antigua. . . . She continued with Mrs. Allan, in the capacity of a domestic slave", until 1825, "when she

<sup>32</sup> "Somerset" in Lofft; "Sommersett" in Howell's *State Trials*.

<sup>33</sup> *The Slave Grace*, 2 Hagg. Adm. 94 (106).

<sup>34</sup> *Williams v. Brown*, 3 Bos. and Pul. 69.

<sup>35</sup> Lord Stowell, in *The Slave Grace*, 2 Hagg. Adm. 94 (122).

<sup>36</sup> *The Slave Grace*, *ibid.*

was seized by the waiter of the customs at Antigua 'as forfeited to the king, on suggestion of having been illegally imported in 1823', [99] "she being a free subject of his Majesty". In 1826 "the Vice-Admiralty Court of Antigua decreed . . . 'that the woman Grace be restored to the claimant [Mr. Allan] with costs and damages for her detention'. From this sentence an appeal was prosecuted on the part of the crown, and the principal question made, was—whether, under the circumstances, slavery was so divested by landing in England that it would not revive on a return to the place of birth and servitude?" Lord Stowell affirmed the decree of the vice-admiralty court, maintaining that slavery was not so divested, and that it would revive on a return: [124] "The temporary freedom thus acquired has ever been superseded on the return of the slave; and slaves never have been deemed and considered as free persons on their return to Antigua, or the other colonies." Lord Stowell follows the opinion which Lord Chancellor Hardwicke gave in 1729 and in 1749:

[104] that a slave coming from the West Indies, either with or without his master, to Great Britain, doth not become free, and that his master's property or right in him is not thereby determined or varied; and . . . that his master might legally compel him to return to the plantations; . . . [105] This judgment [of Hardwicke, 1749] so pronounced in full confidence, and without a doubt upon a practice, which had endured universally in the colonies, and . . . in Great Britain, was, in no more than twenty-two years afterwards, reversed [*sic*] by Lord Mansfield. . . . [106] The real and sole question which the case of *Sommerset* brought before Lord Mansfield, . . . was, whether a slave could be taken from this country in irons and carried back to the West Indies, to be restored to the dominion of his Master? . . . [112] Black seamen have navigated West India ships to this island, but we have not heard of other *Sommersets*, . . . . The fact certainly is, that it never has happened that the slavery of an African, returned from England, has been interrupted in the colonies in consequence of this sort of limited liberation conferred upon him in England. . . . he goes back to a place where slavery awaits him, and where experience has taught him that slavery is not to be avoided.

But the case of the Slave Grace did not penetrate to Missouri for a quarter of a century. Meantime, her courts applied the doctrine, that free soil makes free men, erroneously believed to be that of the *Somerset* case, and made the most of it. The first case in the *Missouri Reports* in this connection, of which any detailed facts are given, is "an action of assault and battery and false imprisonment" brought, in 1822, by "Winny, a free woman held in slavery".<sup>37</sup> So is the plaintiff denominated in the heading of the

<sup>37</sup> *Winny v. Whitesides*, 1 Mo. 472.

case,<sup>38</sup> an astounding and unique description in a slave state report, due probably to Judge Tompkins, "that apostle of freedom at that day",<sup>39</sup> who delivered the opinion of the Supreme Court, affirming the judgment of the circuit court that Winny was free.

Winny had been brought, late in the eighteenth century, from Carolina to Illinois, where her master and mistress "resided about three or four years, retaining the plaintiff . . . in slavery, *in Illinois*"; then removing to Missouri. Judge Tompkins declares that the person who takes his slave into the Northwest Territory and resides there "does, by such residence, declare his slave to be free". John Merry<sup>40</sup> was declared free in 1827, having been born "about 36 years past, in the Illinois", where "he was holden . . . as a slave, till lately". Judge Wash says: "at the time of the making of the cession act [by Virginia], this man, John, was not property [for he was not then born]; and at the time of his birth, he could not be property. There is nothing in the cession act, forbidding Congress to fix and point out things which might afterwards be the subject of property." Theoteste *alias* Catiche did not obtain freedom in 1829<sup>41</sup> on the ground of birth in the Northwest Territory, because she was born before the passage of the Ordinance of 1787. Negroes who had worked in the Illinois Saline and were then removed to Missouri gained freedom in 1829,<sup>42</sup> 1830,<sup>43</sup> and 1833.<sup>44</sup> In the last year, Julia, a slave brought by her mistress to Missouri from Kentucky, but stopping a few weeks in Illinois on the way and hired out there for about two days, won her freedom<sup>45</sup> because, in violation of the constitution of Illinois, slavery had been "introduced and continued for the mere convenience of the owner". Nat did not win freedom in 1834, because he "ran-away from Missouri", where he was hired out, and went to his master's home in Illinois. The court charged the jury "that there was nothing in the soil of Illinois as in England that would work the emancipation of a slave by mere setting foot thereon, and that if the plaintiff went into that State on a

<sup>38</sup> In the first edition.

<sup>39</sup> Counsel for Mrs. Emerson, 15 Mo. 576: "Indeed, it is fair to presume . . . that he was deeply tinged with sentiments and opinions dangerous to the existence of that 'peculiar institution' known as domestic slavery."

<sup>40</sup> Merry *v.* Tiffin and Menard, 1 Mo. 725. See also Menard *v.* Aspasia [5 Peters 505], who was born in Kaskaskia after 1787.

<sup>41</sup> Theoteste *v.* Chouteau, 2 Mo. 144.

<sup>42</sup> Tramell *v.* Adam, *ibid.*, 155.

<sup>43</sup> Vincent *v.* Duncan, *ibid.*, 214.

<sup>44</sup> Ralph *v.* Duncan, 3 Mo. 194.

<sup>45</sup> Julia *v.* McKinney, 3 Mo. 270.

mere voluntary visit, or ranaway from Missouri to that State he would not thereby be entitled to freedom".<sup>46</sup>

The case of Rachel,<sup>47</sup> decided in 1836, was almost precisely like the case of Dred Scott which came up to the Supreme Court of Missouri sixteen years later. Stockton, an officer of the United States army, stationed at Fort Snelling, "on the west side of the Mississippi river, and north of the State of Missouri, and in the territory of the United States", sent to St. Louis in 1830 to purchase a slave. Rachel was bought for him and taken to him at Fort Snelling, where she remained "till the fall of 1831, when he removed to Prairie du Chien [in the Michigan territory], . . . at which place he held her in slavery, till about the spring of the year 1834, when he took her to St. Louis and sold her". The judgment of the circuit court in favor of Rachel's owner was reversed and the cause remanded for a new trial. Judge McGirk exclaims: [352] "It seems that the ingenuity of counsel and the interest of those disposed to deal in slave property, will never admit anything to be settled in regard to this question." He reviews the Missouri decisions, all of which admit [353] "that the people of the United States have a right to pass through any of the districts where slavery is prohibited with their slaves, and while they justly retain the character of emigrants passing through the country, the fact that they have in their possession, when so passing, slaves, does not emancipate them under the ordinance"; but if the emigrant lingers in passing through,

something of the nature of necessity, should or ought to exist, before he ought to be exempt [from the forfeiture of his slaves]; . . . swollen streams of water, . . . serious sickness, . . . broken wagons and the like—these things . . . would be good causes of delay, if the journey be resumed as soon as they are removed . . . [354] In this case the officer lived in the Missouri territory . . . sent to a slave holding country and procured her [Rachel] . . . without any other reason than that of convenience, and he and those claiming under him must be holden to abide the consequence of introducing slavery both in Missouri territory and Michigan, contrary to law. . . . [Otherwise,] the convenience or supposed convenience of the officer repeals as to him and others who have the same character, the ordinance [of 1787] and the act of 1821 admitting Missouri into the Union, and also the prohibitions of the several laws and constitutions of the non slave holding States.

Judge McGirk hit the nail on the head. Chief Justice Taney, twenty years later, did not hesitate to drive it in, but in a different direction.

<sup>46</sup> *Nat v. Ruddle*, 3 Mo. 400.

<sup>47</sup> *Rachel v. Walker*, 4 Mo. 350.



In 1837 Melvin, who had removed with his slaves to Missouri from Tennessee in 1834 and on the way staid nine months with his son in Illinois, where he "made a crop of corn, and remained in the State to gather and sell it", forfeited his slave Wilson,<sup>48</sup> although he took the precaution not to unload his wagon for about a month after reaching Illinois, "till the negroes were taken to St. Louis, because the appellee [Melvin] was told 'if he did, and made any place their home', the slaves would obtain their freedom". Judge Tompkins, delivering the opinion of the court reversing the judgment of the lower court in favor of Melvin, says: [598] "The only question to be submitted to the jury . . . was, whether he [Melvin] had made any unnecessary delay?" [597] "Something of the nature of necessity should exist before he would, or ought, to be exempted from the forfeiture [of his slave]."

And so the matter rests for over ten years. In 1848 the first "small cloud" of the gathering storm is descried. Dred Scott and Harriet, his wife, appear in the law reports for the first time, in two brief decisions on the same page, Harriet preceding with eleven lines, Dred following with two.<sup>49</sup> Before the final curtain falls on Dred, over 250 pages of state and federal reports will have been devoted to his cause. The first decisions involve a technicality which is summarily disposed of. Mrs. Em[m]erson's writs of error are dismissed as premature, as the causes are "still pending in the court below". I need not recite the facts of Dred Scott's case; they are known to all. He obtained a verdict in accordance with the instructions of the lower court which followed the Missouri precedents, but the Supreme Court of Missouri reversed, in 1852, the judgment of the lower court and remanded the cause.<sup>50</sup>

The way had been paved, two years before, in the Supreme Court of the United States, for this overruling of the long line of Missouri decisions which had been made in accordance with the Ordinance of 1787, the constitution of Illinois, and the Missouri Compromise. In the case of *Strader v. Graham*,<sup>51</sup> Chief Justice Taney, in delivering the opinion of the court, had declared that

[94] the condition of the negroes [who had been sent by their master from Kentucky to Ohio for musical training], as to freedom or slavery, after their return [to Kentucky], depended altogether upon the laws of that State, and could not be influenced by the laws of Ohio. . . . The Ordinance [of 1787] . . . if still in force, could have no more operation than the laws of Ohio in the State of Kentucky, . . . . But . . . the

<sup>48</sup> *Wilson v. Melvin*, 4 Mo. 592.

<sup>49</sup> *Emmerson v. Harriet*, 11 Mo. 413; *Emmerson v. Dred Scott*, *ibid.*

<sup>50</sup> *Scott v. Emerson*, 15 Mo. 576.

<sup>51</sup> 1 How. 82.



Ordinance is not in force. . . . It is undoubtedly true, that most of the material provisions . . . have been preserved [and] have been the established law within this [Northwest] territory ever since the Ordinance was passed; . . . But these provisions owed their legal validity . . . after the Constitution was adopted and while the territorial government continued, to the act of Congress of August 7, 1789, which adopted and continued the Ordinance of 1787, . . . with some modifications, which were necessary to adapt its form of government to the new Constitution.

Accordingly Judge Scott, in delivering the opinion of the Supreme Court of Missouri, in the case of *Scott v. Emerson*,<sup>52</sup> declares:

[583] No State is bound to carry into effect enactments conceived in a spirit hostile to that which pervades her own laws. . . . [584] Some of our old cases say, that a hiring for two days would be a violation of the constitution of Illinois and entitle the slave to his freedom. . . . [585] Laws operate only within the territory of the State for which they were made, and by enforcing them here, we, contrary to all principle, give them an extra territorial effect. . . . In States and Kingdoms in which slavery is the least countenanced, and where there is a constant struggle against its existence, it is admitted law, that if a slave accompanies his master to a country in which slavery is prohibited, and remains there a length of time, if during his continuance in such country there is no act of manumission decreed by its courts, and he afterwards returns to his master's domicile, where slavery prevails, he has no right to maintain a suit founded upon a claim of permanent freedom.<sup>53</sup> This is the law of England, where it is said her air is too pure for a slave to breathe in, and that no sooner does he touch her soil than his shackles fall from him. . . . [586] Times now are not as they were when the former decisions on this subject were made. Since then not only individuals but States have been possessed with a dark and fell spirit in relation to slavery, whose gratification is sought in the pursuit of measures, whose inevitable consequence must be the overthrow and destruction of our government. Under such circumstances it does not behoove the State of Missouri to show the least countenance to any measure which might gratify this spirit. She is willing to assume her full responsibility for the existence of slavery within her limits, nor does she seek to share or divide it with others. Although we may, for our own sakes, regret that the avarice and hard-heartedness of the progenitors of those who are now so sensitive on the subject, ever introduced the institution among us, yet we will not go to them to learn law, morality or religion on the subject. As to the consequences of slavery, they are much more hurtful to the master than the slave. There is no comparison between the slave in the United States and the cruel, uncivilized negro in Africa. When the condition of our slaves is contrasted with the state of their miserable race in Africa; when their civilization, intelligence and instruction in religious truths are considered, and the means now employed to restore them to the country from which they have been torn, bearing with them the blessings of civilized life, we are almost persuaded, that the introduction of slavery amongst us was, in the providences of God, who makes

<sup>52</sup> Judge Ryland concurred; Judge Gamble dissented.

<sup>53</sup> *The Slave Grace*, 2 Hagg. Adm. 94.

the evil passions of men subservient to his own glory, a means of placing that unhappy race within the pale of civilized nations.

Judge Scott cites the case of the Slave Grace, and the opinion of Lord Stowell in that case is the determining precedent in the Supreme Court of Missouri, as it was later in the Supreme Court of the United States, as far as it was concerned with the merits of Dred Scott's case.

The case being remanded to the circuit court of St. Louis, it was "continued" in that court "to await the decision of the case" of Dred Scott against Sandford,<sup>54</sup> to whom Mrs. Emerson had, in the meantime, sold Dred, Harriet, and their two children. Sandford being a citizen of New York, Scott had embraced the opportunity to test his freedom before a federal tribunal, and had brought a new action against his new master, in the Circuit Court of the United States for the district of Missouri, claiming himself to be a citizen of the latter state.<sup>55</sup> Sandford appeared and filed a plea in abatement to the jurisdiction of the court (declaring that the suit was not brought by a *citizen* of one state against a citizen of another, as the United States Constitution provides).<sup>56</sup> Dred Scott demurred to the plea (by declaring that he *is* a *citizen* of Missouri), and the Circuit Court sustained his demurrer. [457] "The defendant then plead over in bar of the action . . . and the case went down to trial before the court and jury, . . . and resulted in a verdict for the defendant, under the instructions of the court." The case was then brought up, by writ of error, to the Supreme Court of the United States. Chief Justice Taney delivered the opinion of the court, and you know by heart what it was: first, that "Dred Scott was not a citizen of Missouri within the meaning of the Constitution of the United States, and not entitled as such to sue in its courts". It being decided that the United States Circuit Court had no jurisdiction of the case, no more needed to be said, and the idea has been prevalent that the rest of Judge Taney's opinion is "extra-judicial, and mere obiter dicta". He himself maintains that

[427] This is a manifest mistake; there can be no doubt as to the jurisdiction of this court to revise the judgment of a Circuit Court, and to reverse it for any error apparent on the record, whether it be the error of giving judgment in a case over which it had no jurisdiction, or any other material error; and this, too, whether there is a plea in abatement or not. . . . in a writ of error to a Circuit Court of the United States, the whole record is before this court for examination

<sup>54</sup> 60 U. S. 393.

<sup>55</sup> Scott had remained in Missouri, where Sandford hired him out.

<sup>56</sup> Art. III., sec. 2, "The judicial power shall extend to . . . controversies . . . between citizens of different states", etc.

and decision; . . . [430] we proceed, therefore, to inquire, whether the facts relied on by the plaintiff entitled him his freedom.

The answer was, No:

I. Dred Scott is not free by reason of his removal to Fort Snelling, "in that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36 degrees 30 minutes, north latitude, not included within the limits of the State of Missouri", for the Missouri Compromise Act,<sup>57</sup> which prohibited slavery in that territory, was unconstitutional and void, since it [450] "deprives a citizen of the United States of his . . . property, merely because he . . . brought his property into a particular Territory of the United States". Such an act, says Taney, "could hardly be dignified with the name of due process of law. . . . [451] the right of property in a slave is distinctly and expressly affirmed in the Constitution".

II. Nor is he free by reason of his removal to Illinois: [452] "As Scott was a slave when taken into the State of Illinois by his owner, and was there held as such, and brought back in that character, his *status*, as free or slave, depended on the law of Missouri, and not Illinois. . . . [453] it is now firmly settled by the decisions of the highest court in the State [of Missouri],<sup>58</sup> that Scott and his family upon their return were not free, but were, by the laws of Missouri, the property of the defendant."

Much as Judge Taney's memory has suffered because of his treatment of the Dred Scott case, the decision is unquestionably correct. The crucial fact in the case is not that Dr. Emerson took Dred to reside on free soil, but the fact that Dred returned to Missouri with his master, as the slave Grace returned to Antigua with her mistress. Thirty years before the Dred Scott decision, Judge Story, who made the conflict of laws his special study, declared in a letter to Lord Stowell concerning the latter's opinion in the case of the *Slave Grace*:<sup>59</sup> "I entirely concur in your views, . . . . It appears to me that the decision is impregnable. In my native State, (Massachusetts,) the state of slavery is not recognized as legal; and yet, if a slave should come hither, and afterwards return to his own home, we should certainly think that the local law would re-attach upon him, and that his servile character would be reintegrated."<sup>60</sup>

HELEN TUNNICLIFF CATTERALL.

<sup>57</sup> It had been repealed in 1854, but was in force when Dred Scott resided at Fort Snelling.

<sup>58</sup> *Scott v. Emerson*, 15 Mo. 576 (1852).

<sup>59</sup> 2 Hagg. Adm. 94.

<sup>60</sup> *Story's Life of Story*, I. 558.

## NOTES AND SUGGESTIONS

### CHEVALIER'S PLAN OF 1859: THE BASIS OF THE NEW COMMERCIAL POLICY OF NAPOLEON III.

ON January 15, 1860, there was published in the *Moniteur* the well-known letter of the emperor to his minister of state, Fould, and this was followed on the twenty-third by the signature of the treaty of commerce with England. The emperor's letter has been generally regarded as merely a manifesto to prepare the unsuspecting French public for the announcement of the treaty. Cobden so describes it in his diary and in his letters written from Paris,<sup>1</sup> and he pays scant attention to the serious ideas of economic reform for France that appear among the bombastic phrases of Napoleon. As far as the emperor himself was concerned Cobden's judgment seems to have been sound, for the majority of the serious ideas in the letter certainly did not originate in the imperial mind. Their source is to be found rather in an anonymous and unpublished document in the French archives,<sup>2</sup> which contains also many of the most important provisions of the Anglo-French Treaty of Commerce.

In considering the relationship of this anonymous plan for a treaty of commerce with England to the treaty that was actually signed January 23, 1860, it is important first to determine the date of the plan. No date of commencement or completion is given, but mention is made<sup>3</sup> of reducing by one-half the duties on textile raw materials on October 1, 1859; and<sup>4</sup> the use is suggested of the remnant of the loan of 500,000,000 francs. A loan of that amount was issued on May 7, 1859, for the war in Italy, and was heavily oversubscribed.<sup>5</sup> As the war was much shorter than had been ex-

<sup>1</sup> Cobden, Diary, vol. I., Dec. 14, 1859, in Cobden Papers; Morley, *Cobden* (London, 1881), p. 720; and Cobden to Gladstone, Dec. 16, 1859, and Jan. 11, 1860, in Gladstone Papers at Hawarden.

<sup>2</sup> Archives Nationales, F12-2482 (formerly F12-2684, the series having recently been renumbered). The original of the document was studied in the Archives and an official copy obtained from them is in the possession of the writer, but is not printed here from lack of space.

<sup>3</sup> Par. 2, sect. II.

<sup>4</sup> Par. 1, sect. V.

<sup>5</sup> *Journal des Économistes*, second ser., XXII. 288-290, 452. The only other loan of this amount issued by the government under the Second Empire before 1860 was that of December 31, 1854, which was so rapidly exhausted that another and larger loan was issued July 11, 1855.

pected, there remained, as late as January, 1860, a balance of nearly 160,000,000 francs<sup>6</sup> in the French treasury. It can be said, therefore, that this document was written between May 1 and October 1, 1859. As no such thorough economic reform could be thought of during the war in Italy, it seems probable that the document was not written until after the Peace of Villafranca on July 11, 1859.

The resemblance of the anonymous plan for a treaty with England to the Treaty of 1860 can be seen first in some of the general provisions. Thus the plan calls for the abolition of the prohibitions in the French tariff on July 1, 1861, and their replacement by duties not to exceed 25 per cent., or, with the double décime, 30 per cent.<sup>7</sup> The Treaty<sup>8</sup> in Article I. provides for the adoption of exactly these rates of duty by France and in Article XV. stipulates that they are to be applied on or before October 1, 1861. The abolition of prohibitions is not mentioned because it would be involved, as regards British goods, in the application of the new duties. Again, the plan recommends the reduction of the duty on British coal and coke to fr. 0.10 per 100 kilograms and a promise by England not to prohibit the exportation of coal,<sup>9</sup> while the treaty provides for a duty of fr. 0.15 and both signatories agree not to forbid the export of coal (Article XI.). As regards the all-important British duties on French wines, the plan asks for a reduction to 2 shillings on July 1, 1861, and to 1 shilling on July 1, 1866; while the treaty stipulates that there be a scale of duties based on alcoholic content ranging from 1 to 2 shillings and applicable on April 1, 1861 (Article VI.). Finally, the plan asks that the British duties on French silks be reduced 50 per cent. and those on spirits 33 per cent. The treaty provides for the admission of French silks free (an unexpected concession promised by Gladstone October 15, 1859),<sup>10</sup> and a decrease of the duty on spirits from 15 s. to 8 s. 2 d. per gallon.

The similarity of several of the important provisions of the anonymous plan in the French archives to the provisions of the emperor's letter to Fould of January 15, 1860, is quite as marked as in the case of the commercial treaty with England. Both documents call for the abolition of prohibitions, and of the import duties on raw wool and cotton; both demand a heavy reduction of the im-

<sup>6</sup> *Moniteur*, Jan. 15, 1860.

<sup>7</sup> Par. 1, sect. I.

<sup>8</sup> The text of the Treaty of Jan. 23, 1860, is given in Hertsllet, *Commercial Treaties*, XI. 165.

<sup>9</sup> Par. 4, sect. I.

<sup>10</sup> See the writer's "Origins of the Anglo-French Treaty of 1860", in *Nineteenth Century* (London), November, 1922, pp. 786-796.

port duties on coffee and sugar; and both suggest, as means of facilitating the execution of the proposed economic reforms, the use of the balance remaining from the loan of 500,000,000 francs, and from the suspension of the amortization of the public debt. Slight differences in wording in the two documents do not alter the essential identity in them of these five important provisions.

The authorship of the anonymous plan for a treaty of commerce with England can be determined by the study of evidence from several different sources. The document itself is written in the regular hand of a clerk, which gives no helpful clues towards identification of the true author, but in two places there are corrections in another hand.<sup>11</sup> A study of these corrections and a comparison of them with samples of the handwriting of Chevalier, Cobden, Rouher, Fould, Baroche, and other possible authors of the plan, was made by MM. Charles Schmidt and Léon Gauthier of the Archives Nationales and the writer, and it was agreed that the handwriting was that of Chevalier. The official position of Michel Chevalier as a member of the Council of State entitled him to the services of a secretary, or of the clerks in the government offices, so that it would be quite natural to find corrections by him in documents in the Archives Nationales.

The revision by Chevalier of the anonymous plan for a treaty with England, as shown by the words in his handwriting, would not in itself prove that he was the original author. But further evidence is to be found in the striking resemblance of the document to Chevalier's plan for reforming the French tariff which forms the conclusion to his *Examen du Système Protecteur* published in 1852.<sup>12</sup> In this early plan Chevalier recommended the abolition of prohibitions, import duties that should never exceed 30 per cent., the admission free of raw materials, and the classification as raw materials of cotton, wool, dyestuffs, and chemicals used in dyeing. All these recommendations are made also in the anonymous plan for a treaty of commerce with England. As Chevalier's plan of 1852 considered the French tariff only and did not have in view commercial arrangements with England, the agreement of its most important provisions with those of the unsigned plan in the Archives Nationales is significant.

<sup>11</sup> In par. 3 of the concessions to be made by England in sect. I. and in par. 2 of sect. II.

<sup>12</sup> Michel Chevalier, *Examen du Système Commercial connu sous le Nom de Système Protecteur* (Paris, 1852; second ed., 1853). See pp. 297-313 of second ed.

The ideas of Chevalier regarding tariff reform in France, and the leading part he played in starting the negotiations for the Anglo-French Treaty of 1860, are in complete accord with the documentary evidence that has been cited. Chevalier, after the death of Bastiat in 1850, was generally regarded as the leader of the free trade cause in France. Most of the other economists in his country also favored free trade, as did those in England, but many of them regretted the conclusion of the Treaty of 1860 on the ground that it was a compromise in which the principle of free trade was sacrificed; and they openly expressed their disapproval of government loans to promote the development of industry and agriculture after the publication of the emperor's letter to Fould.<sup>13</sup> Chevalier was virtually alone in advocating both the treaty of commerce and, as a former Saint-Simonian, government loans for the benefit of manufacturers and farmers.

Finally, Michel Chevalier was the principal author of the treaty of January 23, 1860. He proposed the negotiation of such a treaty in a series of letters to Cobden as early as 1856. He repeated his proposal late in the summer of 1859, succeeded in converting Cobden to the idea in September, and in October went to England to learn the views of the British government. In a private interview on the night of October 15, 1859, he obtained the assent of Gladstone to the principle of such a treaty and reached an agreement with him regarding several of its most important provisions. On his return to Paris he won the approval of Rouher, the minister of commerce, and on October 27, before Cobden was admitted to the palace at St. Cloud, he secured the consent of the emperor to the opening of negotiations. In taking these steps Chevalier did not act, as might be supposed, as a secret agent of Napoleon III. He has made repeated statements in writing over his signature, both during the Second Empire and after its fall, that he acted entirely on his own initiative. These statements are confirmed by a conversation reported by Nassau Senior in May, 1860, and by a series of letters Chevalier wrote to his wife while he was in England in October, 1859, and after his return to Paris, in which he shows that he had not communicated with the emperor regarding the negotiation of a commercial treaty before the audience of October 27 and that he was reluctant to approach him on the subject in spite of the success of his decisive interview with Gladstone.<sup>14</sup>

<sup>13</sup> This is shown in the debates of the Société des Économistes given in the *Journal des Économistes*, Feb. 15 and Mar. 15, 1860.

<sup>14</sup> *Nineteenth Century*, November, 1922, pp. 786-796.



The evidence obtained from a comparison of the anonymous plan in the Archives Nationales for a commercial treaty between France and England with the emperor's letter to Fould on January 15, 1860, and with the treaty that was actually signed January 23 seems to justify the conclusion that the plan was the basis of the emperor's letter and, to a considerable extent, of the treaty as well. The words in the plan in Chevalier's handwriting, together with the marked similarity of the plan to Chevalier's programme for a reform of the French tariff in 1852 and with his well-known approval of commercial treaties and of government loans to industry and agriculture, show, in the writer's opinion, that Chevalier was the author of the anonymous plan. We have seen that he proposed a treaty with England in 1856 and that in August, 1859, at about the time when the plan in the Archives Nationales was written, he renewed his proposal and succeeded, after two months, in persuading the French and British governments to open negotiations. There is no evidence as to when Chevalier's plan was submitted to the emperor. It can be said only that a draft of the letter to Fould was prepared by the emperor and shown to Rouher as early as the middle of December,<sup>15</sup> or about six weeks after Napoleon had received Chevalier and given his consent to the opening of negotiations. The uncertainty of the date when the plan was put before Napoleon III. does not, however, invalidate the conclusion that Chevalier, as its author, was the statesman who was primarily responsible for the new commercial policy of France.

ARTHUR LOUIS DUNHAM.

THE SEQUENCE OF APPOINTMENTS TO POLK'S ORIGINAL CABINET:  
A STUDY IN CHRONOLOGY, 1844-1845

QUITE the most difficult and absorbing task which confronts any President near the outset of his administration is the selection of his Cabinet advisers. It amounts to a process prolonged over a series of months, although the actual selections may be arranged quickly when once a President, taking into the reckoning a great variety of crucial factors, has made up his mind regarding the most desirable and available candidates. The manuscript records covering many phases of the Polk administration are singularly abundant and easily available. Accordingly it is possible to set forth the order in time of Polk's Cabinet selections without in a necessarily brief consideration attempting to enter into the large and rather

<sup>15</sup> Cobden to Gladstone, Dec. 16, 1859, in Gladstone Papers.



complicated range of side issues which played a significant part in the various selections.<sup>1</sup>

It is well known that on Wednesday, March 5, 1845, the day following his inauguration, President Polk sent to the Senate the names of his six Cabinet officers. Five of them were promptly confirmed on that day. The sixth officer, George Bancroft of Massachusetts, named as secretary of the navy, was not confirmed until Monday, March 10. By the next day (March 11) all of these officers had entered upon their respective duties. The Cabinet thus became a working body.<sup>2</sup>

In its composition both geographic and personal factors had been carefully regarded: the six incumbents represented Massachusetts, New York, Pennsylvania, Virginia, Tennessee, and Mississippi; and two of the members, Cave Johnson, postmaster general, and John Y. Mason, attorney general—the latter an intimate friend of the President since college days<sup>3</sup>—had been more or less closely associated with Polk in political life for many years. The appointment of Bancroft was largely the result of a wish on the part of Polk to satisfy his friend, Martin Van Buren, who had commended Bancroft to him in the highest terms.<sup>4</sup> Otherwise the Cabinet was distinctly of the President's own choosing—a Polk Cabinet.

Previous to the arrival in Washington of the President-elect on Thursday evening, February 13, there is no evidence to indicate that he had yet determined on the composition of the Cabinet. Con-

<sup>1</sup> Any writer on Polk's career must hereafter be indebted for details to Professor Eugene I. McCormac's *James K. Polk: A Political Biography* (1922), a volume indicative of prolonged study.

<sup>2</sup> *Executive Register of the United States: 1789-1902*, comp. by Robert Brent Mosher, pp. 137-138; cf. *Memoirs of John Quincy Adams*, XII. 180.

<sup>3</sup> Mason was graduated at the University of North Carolina in 1816, and Polk in 1818.

<sup>4</sup> Shortly before the assembling of the Baltimore Convention in May, 1844, Bancroft had written a campaign biography of Van Buren. On Mar. 8 of that year, Marcy wrote to a friend, saying: "Mr. Bancroft has engaged to write a sketch of Mr. V Buren's life, etc., presenting prominently his political course, and designed to be a work peculiarly fitted for the coming campaign", Marcy Papers, Library of Congress, vol. 9. The defeat of Van Buren at Baltimore as a candidate for the Presidency made the issuance of the "Life" useless. Strangely enough the old manuscript was refurbished in 1889 and issued then (New York, Appleton), late in the historian's career. See Edward G. Bourne, "Bancroft's Life of Van Buren", in *The Christian Register* (Boston, Dec. 17, 1891), LXX. 832; also Polk Papers, Library of Congress, vol. 55, Bancroft to Polk, Jan. 1, 1844 [1845], vol. 70, same to same, Feb. 10, 1845; and Van Buren Papers, Library of Congress, vol. 52, Van Buren to Polk, Jan. 18, 1845, Bancroft to Van Buren, Jan. 22, Polk to Van Buren, Jan. 30, Van Buren to Polk, Feb. 27, Polk to Van Buren, Mar. 1.

cerning the problem of selection he had received advice, some of which came by solicitation from such influential leaders as Andrew Jackson, Martin Van Buren, George M. Dallas of Pennsylvania (his running-mate), and Silas Wright, the latter inaugurated as governor of New York on January 1, 1845. To Silas Wright on December 7 Polk had made a direct offer of the headship of the Treasury Department<sup>5</sup>—an offer probably largely influenced by Wright's distinction as a national figure who had had the courage to decline the vice-presidency<sup>6</sup> to which he had been nominated by the Baltimore Convention in the previous May. Wright, loyal to his defeated friend, Martin Van Buren, and impressed by his obligations as governor-elect of New York, promptly declined to accept any Cabinet or other national position.<sup>7</sup> In Polk's view the headship of the Treasury was a matter of chief importance, for the occupant of it was bound to be involved in the making of a new and lower tariff in order to satisfy one of Polk's positive and pronounced convictions as a Southern Democrat. As to a suitable incumbent, however, the President's mind was not made up until shortly before his inauguration.

The actual choice of six Cabinet advisers occupied Polk for almost exactly a fortnight—from Monday, February 17, to Monday, March 3. An offer of the secretaryship of state went to Senator James Buchanan of Pennsylvania under date of February 17 and met with Buchanan's conditional acceptance on the following day.<sup>8</sup> On that same day (February 17) an offer of the postmaster-generalship was made to Representative Cave Johnson of Tennessee; and on February 26 Johnson wrote a letter of acceptance.<sup>9</sup> For a while Polk balanced the claims of Bancroft and Senator Robert J. Walker of Mississippi to the headship of the Treasury; as late as February 22 he had not made up his mind between them.<sup>10</sup> There is reason in the scanty evidence available to think that Polk considered Walker for a time as a possible incumbent of the attorney-generalship, but nothing came of any such project.<sup>11</sup> As far back as December 15

<sup>5</sup> Polk Papers, vol. 68.

<sup>6</sup> It is frequently forgotten that John Langdon of New Hampshire declined the vice-presidency, after being named for it, as far back as May 28, 1812. *Am. Hist. Rev.*, XXII. 94, 678.

<sup>7</sup> Dec. 20, 1844. Polk Papers, vol. 69.

<sup>8</sup> McCormac, *op. cit.*, p. 294, foot-note (based on the Buchanan Papers in Hist. Soc. Pa.); Polk Papers, vol. 71, Feb. 18.

<sup>9</sup> Polk Papers, vol. 71, under dates.

<sup>10</sup> Van Buren Papers, vol. 52.

<sup>11</sup> Polk Papers, vol. 71, Feb. 17 or 19—date not clear; a draft letter which may never have been sent.

Dallas had proposed Walker as eminently fitted for the State Department—as a man known to be favorable, like Polk, to the “reannexation” of Texas.<sup>12</sup> But since that time Polk had received a mass of Southern, Western, and even some Northern approval of Walker as a desirable head of the Treasury. He frankly acknowledged that he was unable to overlook this evidence; and it remains as the principal historical basis for thinking that in point of time Senator Walker as secretary of the treasury was probably Polk's third Cabinet selection.<sup>13</sup>

William Learned Marcy of New York, tendered the office of secretary of war by Polk on March 1, appears to have been Polk's fourth selection for his Cabinet. Marcy replied on Monday, March 3, accepting the offer, leaving Albany by the night boat and breakfasting in New York City early Tuesday morning with his friend, Edwin Croswell, then editor of the most powerful Democratic organ in the state, the Albany *Argus*, which for years had expressed the views of the so-called Albany Regency. He reached Washington on Wednesday, March 5, the day on which his nomination was confirmed by the Senate. Before the selection of Marcy was made, it had involved Polk in not a little perplexity and aroused the bitter opposition (though without avail) of Martin Van Buren and his following.<sup>14</sup>

Marcy himself had been hopeful of a Cabinet position long before it came his way.<sup>15</sup> In November, 1844, he had intimated to one of his friends that he desired, if possible, to hold some public office—he did not wish a federal judgeship and he declined the offer made to him by Governor W. C. Bouck of an appointment as senator in succession to Nathaniel P. Tallmadge, resigned, for a short unexpired term in Washington.<sup>16</sup> From December, 1844,

<sup>12</sup> Polk Papers, vol. 69.

<sup>13</sup> *Ibid.*, vol. 69, A. V. Brown to Polk, Jan. 1, 1845, Cave Johnson to Polk, Jan. 2; vol. 70, C. Johnson to Polk, A. V. Brown to Polk, Jan. 5, D. R. Atchison of Mo. to Polk, Edward A. Hannegan of Ind. to Polk, A. V. Brown to Polk, Jan. 9, C. Johnson to Polk, Jan. 11, Jacob Thompson of Miss. *et al.* to Polk, Jan. 12, D. B. Tallmadge of N. Y. to Polk, Jan. 15, Senator Daniel Sturgeon of Pa. to Polk, Jan. 17, A. V. Brown to Polk, Jan. 29, etc. Van Buren Papers, vol. 52, Polk to Van Buren, Feb. 22, Van Buren to Polk, Feb. 27, Smith Van Buren to M. Van Buren, Mar. 2, Mar. 4.

<sup>14</sup> Marcy Papers, Library of Congress, vol. 10, Polk to Marcy, Mar. 1; Marcy to P. M. Wetmore, Polk to Marcy, Mar. 4; Marcy in Washington to Polk, Mar. 5. Van Buren Papers, vol. 52, Polk to Van Buren, J. L. O'Sullivan to Van Buren, Mar. 1; Smith Van Buren to M. Van Buren, Mar. 2; same to same, Smith Van Buren to Polk (draft not sent), Polk to Van Buren, Mar. 3; Smith Van Buren to M. Van Buren, Mar. 4.

<sup>15</sup> Marcy Papers, vol. 9, December, 1843–January, 1845, *passim*.

<sup>16</sup> *Ibid.*, vol. 9, Marcy to P. M. Wetmore, Nov. 10; Marcy to Bouck, Nov. 28.

onwards his name was occasionally associated with the Treasury Department, the headship of which was the single Cabinet position that he really desired. Early in 1845 a large group of his political friends, all members in the New York legislature, recommended him for a Cabinet post.<sup>17</sup> Soon after that positive indication of public interest from New York, partizan forces in Washington began to direct their energies in Marcy's favor.

Polk was disinclined to ignore New York in the selection of his Cabinet. His offer of the Treasury to Silas Wright as early as December 7 was indicative of his viewpoint then and later. Both Van Buren and Wright were bent on obtaining one of the two leading places in the Cabinet for Benjamin F. Butler of New York, like Wright a man of distinguished national position who had had an honorable career under both Jackson and Van Buren as attorney general. After long consideration Polk on February 25 offered to Butler the secretaryship of war. The offer impressed Butler as beneath his dignity, and, to some extent influenced by his wife who disliked Washington, he declined it on February 27.<sup>18</sup> Meantime a Marcy group of politicians in and outside Washington brought their influence to bear on Polk and won Polk's adherence to their candidate as a man interested in the problem of the reannexation of Texas, favorable to a reduced tariff, and otherwise likely to agree with the policy of the new administration in most respects. There was also no doubt that Marcy was a figure of national importance.

Two letters of February 18, written by ex-Governor Bouck and Edwin Croswell, respectively, to Polk help to reveal the situation.<sup>19</sup> Bouck warned the President-elect against selecting any New York man named by either Wright or Van Buren, as likely to be unsound on the Texas issue. "Senator Dickinson",<sup>20</sup> he remarked, "fully represents the wishes and feelings of the friends of this measure in this state, with whose suggestions they will doubtless be satisfied." Croswell definitely proposed in his letter William L. Marcy as secretary of the treasury. Stressing Marcy's sterling character, he added:

I know of no one whose appointment w'd be more in accordance with the public wish and expectation. To experience in financial affairs,

<sup>17</sup> Marcy Papers, vol. 10, O. Robinson to Marcy, Jan. 20, 1845.

<sup>18</sup> The materials in manuscript on this phase of the subject are very extensive. They will be found scattered through the correspondence in the Van Buren Papers, vol. 52, and in the Polk Papers, vols. 69, 70, and 71.

<sup>19</sup> Polk Papers, vol. 71, Feb. 18.

<sup>20</sup> Senator Daniel S. Dickinson, who had accepted the appointment of Governor Bouck to the place which Bouck had first offered to Marcy in the previous November—the unexpired term in Washington of N. P. Tallmadge, resigned.

and to familiarity with all the public questions of the day, he united enlarged and liberal views. . . . While he w'd be acceptable to the North, he w'd be scarcely less so to the South; for on all occasions he has sustained the broad democratic policy which upholds the Compromises and the Constitution, regardless of the clamors of fanatics or the designs of politicians.

On Friday night, February 21, Polk saw Senators Dix and Dickinson; he heard in some detail about the New York political situation; and at that time the claims of Marcy along with others considered for the Cabinet were carefully discussed. The next morning (Saturday) Polk was balancing, with no special preference, the claims of both Butler and Marcy as candidates for the War Department.<sup>21</sup> When on February 25 he tendered to Butler the secretaryship of war, he wrote to Van Buren as well as to Butler, urging Van Buren to use his influence to obtain Butler's acceptance of the place. Butler's very prompt declination for reasons already given, and without consultation with Van Buren, was written on February 27. The limited time left in which to settle the Cabinet problem led to Polk's offer, without waiting to hear from Van Buren, of the War Department to Marcy on Saturday, March 1.<sup>22</sup> All the available evidence points clearly to the fact that Edwin Croswell and ex-Governor Bouck in New York and Senator Dickinson in Washington were the leading factors in bringing about Marcy's appointment. Other Washington friends were likewise urgent, as his letter-files reveal, to have him accept the place, although it was well known that it did not meet his real wishes.<sup>23</sup>

The navy secretaryship and the attorney-generalship, in the order named, were probably settled upon by Polk as late as Sunday, March 2, although these offices were not tendered in writing to Bancroft and John Y. Mason of Virginia, respectively, until Monday, March 3.<sup>24</sup> About the time that Polk left Nashville (February 1) on his way to Washington, he wrote to George Bancroft in Bos-

<sup>21</sup> Van Buren Papers, vol. 52, Polk to Van Buren, Feb. 22; Polk to Van Buren, Feb. 25.

<sup>22</sup> Polk Papers, vol. 71, A. G. Danby of Utica to Dickinson, W. L. Marcy to Dickinson, Feb. 24; Polk to Butler, Feb. 25; Butler to Polk (two letters), Feb. 27; Butler to Polk, Mar. 1. Van Buren Papers, vol. 52, Polk to Van Buren, Feb. 25; Van Buren to Polk, Mrs. B. F. Butler to Van Buren, Feb. 27; Butler to Van Buren, Feb. 28; Polk to Van Buren, Mar. 1.

<sup>23</sup> Marcy Papers, vol. 10, Associate Justice Samuel Nelson to Marcy, Dickinson to Marcy (two letters), Mar. 1; Washington Hunt to Marcy, Mar. 2; W. Hunt to Marcy, Mar. 3.

<sup>24</sup> Polk Papers, vol. 71, Mar. 3. Van Buren Papers, vol. 52, under dates.

ton summoning him to the seat of government. Not far from Saturday, February 15, Bancroft as requested reached Washington, where he must soon have learned something of the President-elect's plans regarding himself as a possible or prospective Cabinet adviser. There he waited. On Monday, March 3, the tender of the secretaryship of the navy was made to him; and he accepted the position by letter on the next day.<sup>25</sup>

For many months Polk had known that his friend John Y. Mason, originally appointed to Tyler's Cabinet in March, 1844, as secretary of the navy, desired to be retained. On February 21, 1845, John Nelson, Tyler's attorney general, wrote to Representative John Slidell of Louisiana, urging that Polk be induced to retain Mason, at the same time intimating that Polk's retention of Mason would cause no ill-feeling on the part of other members of the retiring Tyler Cabinet. The letter to Slidell was placed in Polk's hands. There is no doubt that Polk was anxious to retain Mason if circumstances permitted.<sup>26</sup> That Polk's final decision to offer the navy portfolio to Bancroft disconcerted Mason is probable, for on March 3 Mason wrote to Polk declining to be considered for a Cabinet place. What happened on that day to change his viewpoint is not discoverable in the manuscript records.<sup>27</sup> On that same March 3, however, Polk offered the attorney-generalship to Mason, and Mason agreed in writing to accept it at once.<sup>28</sup> In this connection it is significant that when, in September, 1846, Bancroft left the Navy Department to accept the office of minister to England, Mason was immediately reinstated as secretary of the navy.<sup>29</sup>

Of the six members of Polk's Cabinet, Marcy was the only one drafted from outside Washington. Three members—two senators,

<sup>25</sup> Polk Papers, vol. 70, Bancroft to Polk, Feb. 10; vol. 71, same to same, Mar. 4. Van Buren Papers, vol. 52, Polk to Van Buren, Mar. 1; Smith Van Buren to M. Van Buren, Mar. 2.

<sup>26</sup> Polk Papers, vol. 66, J. Y. Mason to Polk, Nov. 16, 1844; vol. 68, Polk to Mason, Dec. 6; vol. 69, A. V. Brown to Polk, Dec. 14, C. Johnson to Polk, Jan. 2, 1845; vol. 70, A. V. Brown to Polk, Jan. 5, A. Jackson to Polk, Jan. 10, C. Johnson to Polk, Jan. 11; vol. 71, John Nelson to Slidell, Feb. 21, Mason to Polk (two letters and his resignation of navy portfolio), Mar. 3. Van Buren Papers, vol. 52, Polk to Van Buren, Feb. 22.

<sup>27</sup> In surrendering the navy portfolio in exchange for the attorney-generalship, Mason was obliged to accept a very material reduction in his salary—it dropped from \$6000 to \$4000. See H. B. Learned, *The President's Cabinet* (1912), app. A, p. 396. Bancroft would undoubtedly have accepted a foreign mission in preference to the navy portfolio, could Polk have offered it to him in March, 1845.

<sup>28</sup> Polk Papers, vol. 71, under date.

<sup>29</sup> *Executive Register*, p. 138.

Buchanan and Walker, and a representative, Cave Johnson—were taken from Congress. Bancroft was under serious enough consideration to feel warranted in responding promptly to Polk's summons, and was in Washington for more than a fortnight before his appointment was made final. And Mason, though changing his place from the Navy Department to the attorney-generalship, had resided in Washington for about a year. That Polk made no serious error in the selection of any single member of his council is likely to remain the judgment of students of the Polk epoch.

HENRY BARRETT LEARNED.



## DOCUMENTS

### *American Choices in the Far East in 1882*

THE following despatch of October 2, 1882, from John Russell Young, United States minister at Peking 1882-1885, discloses an almost wholly neglected yet significant episode in the relations of China, Japan, Korea, and the United States.<sup>1</sup> It reveals an important phase of American foreign policy just as it was in the process of formation, describing the choices then open to the American government. It shows China and Japan on the verge of war, reflects the efforts of the so-called military party to override the then pacific Japanese Foreign Office, and brings forward suggestions of ways by which the United States could resume an active rôle in the Far East at a time when the abandonment of the co-operative policy of Burlingame and Seward was almost complete. Compared with Young's suggestions, Burlingame's measures appear shallow.

All things considered, it is fair to describe John Russell Young as among the three or four most competent American diplomatic representatives in the Far East in the nineteenth century. Although cast by the circumstances for a minor part he was the peer of Caleb Cushing at Macao, and he had a world-wide political view far superior to that of either Burlingame or Townsend Harris.<sup>2</sup> All his experi-

<sup>1</sup> The *émeute* of July 23, 1882, at Seoul and the subsequent events are not recorded in *Foreign Relations*. The most complete account, aside from the present despatch, is by Professor Ariga Nagao in Stead, *Japan by the Japanese* (London, 1904), pp. 179-189, which is wholly drawn from Japanese sources of an apparently very authentic sort. H. B. Morse, *International Relations of the Chinese Empire*, III., chap. I., sketches the entire period of Korea's foreign relations down to 1894. See also W. E. Griffis, *Corea the Hermit Kingdom*, eighth ed. (New York, 1907), chap. XLVII.; Tyler Dennett, *Americans in Eastern Asia* (New York, 1923), chaps. XXIV., XXV.; H. Cordier, *Histoire Générale de la Chine*, III. 213-220, II. 582-587. The anterior and subsequent events have been closely studied in C. O. Paullin, *Diplomatic Negotiations of American Naval Officers, 1778-1883* (Baltimore, 1912), chap. X., and by Tyler Dennett in *Journal of International Law*, XVI. (Jan., 1922) 1-24, and *Political Science Quarterly*, XXXVIII. (Mar., 1923) 82-103.

<sup>2</sup> *Men and Memories*, edited by Mary D. Russell Young (2 vols., New York, 1901), is a deplorably inadequate effort to record the range and quality of Young's activities. Young was born in Downingtown, Pa., in 1841, entered newspaper work at an early age, served as war correspondent during the Civil War, and was the first editor of the *Washington Chronicle*, moving to the *Philadelphia Press*, of which he was editor-in-chief 1862-1865. In 1865 he engaged in public-



ence previous to his services in Peking had contributed to make him a really finished diplomat. His trained powers of observation and his skill as a reporter, added to rare literary ability, made his despatches rank among the best received at Washington. His long political career had developed a sense which served him well in a court enveloped in political intrigue. His journalistic and editorial experience, and his tour of the world with General Grant, put him well at ease in the field of diplomacy. Finally the remarkable reception given to General Grant in Peking and Tokio, together with the intimate and very cordial personal relations established by both Grant and Young, enabled Young to go to his post in Peking already more familiar with the pressing problems than was usual in those days or even later.

James Russell Lowell, after observing the Grant party in Madrid, wrote to Charles Eliot Norton of "Achates" Young.<sup>3</sup> But Young was more than a faithful Achates or even an industrious Boswell with a view to a possible third term for Grant. In many of Young's despatches from Peking he uses so many of the ideas and words which he had put into the mouth of his hero in *Around the World with General Grant* that one comes to feel that Young may have been even more than Grant the creative force in 1879 which sought so earnestly to bring China and Japan into harmony and even into alliance to withstand the oppressions of the powers. Certainly Young as American minister in Peking entered upon his duties as though he were rendering the service which General Grant would have liked to render had he been there. Indeed so keen was Grant's interest in the Far East that one wonders, had he again been elected President, whether he would not have taken up the Far Eastern question in earnest and made the American government an active participant nearly twenty years before John Hay was compelled to step in and do what he could to regain the ground lost by his provincially minded predecessors. Taking Young's policy as having the hearty approval of Grant and remembering that Young's policies failed of fruition because of the indifference of the Arthur adminis-

ity work for Jay Cooke and was sent to London. Managing editor of *N. Y. Tribune*, 1866-1869. Founded *New York Standard*, 1870. Member of staff of *New York Herald*, 1873. Selected by General Grant as the sole press representative to accompany him around the world, starting in 1877. Published *Around the World with General Grant* (2 vols., New York, 1879). Very active in the presidential campaign of 1880. Appointed minister to China at General Grant's request, immediately upon the accession of President Arthur. Resigned 1885.

<sup>3</sup> *Letters of James Russell Lowell*, edited by Charles Eliot Norton (New York, 1895), II. 233.

tration, one comes to the conviction, unexpected from a study of Grant's presidential career, that in the failure of Grant to return to the White House in 1880 American policy in the Far East suffered a distinct and even deplorable loss.<sup>4</sup>

The following despatch and its enclosures, some of which are introduced in the form of foot-notes for the convenience of the reader, require little comment except to tie them up with other despatches dealing with the subject, and there is little contemporary literature to refer to. It is necessary for understanding the despatch merely to remember that Commodore Shufeldt had negotiated a treaty with Korea May 23, 1882, that the treaty had really been drafted in Tientsin by Li Hung Chang, that Japan professed to be offended at this, that the treaty had been received in Washington just prior to Young's departure for Peking, that it was transmitted to the Foreign Relations Committee of the Senate July 29, 1882, and that there was evidently considerable doubt as to whether it would be approved and ratified.<sup>5</sup> The treaty was approved early in January, 1883, and Lucius C. Foote was almost immediately sent to Seoul, where he established himself as minister the following June.

TYLER DENNETT.

<sup>4</sup> Grant to Young (undated, but presumably early in 1883): "You have unquestionably conducted your duties with great skill and ability, and as I have had occasion to remark within the last few days, have accomplished more than all our Ministers to China combined since I have been acquainted with our relations with that country. Your former acquaintance with Li has, no doubt, been of great benefit. If you can keep the two countries, China and Japan, from laying hands on each other, you will have rendered a service worthy of your mission. Such a conflict could only end in disaster to both, because, no matter which power proved the stronger, it would end not only in the exhaustion of both, but in European powers intervening and compelling a peace humiliating and degrading to both." *Men and Memories*, II. 301.

<sup>5</sup> Frelinghuysen to the Foreign Relations Committee, July 29, 1882, Report Book 14, p. 653, Department of State: "The treaty, however, does not create Korean independence any more than like engagements concluded or now in process of negotiation between Korea and other western powers. And if it were allowable to contemplate the contingency of such an assertion or enforcement of Chinese sovereignty over Korea as would destroy its independence, that of itself would annul Korean treaties and extend the existing foreign treaties of China over the Korean peninsula." This excerpt is given merely to show how little comprehension Frelinghuysen really had of the importance of this point. His letter was mainly concerned with the question whether the recognition of Chinese sovereignty over Korea would bring the Koreans under the American treaties and laws with reference to Chinese immigration.

I. JOHN RUSSELL YOUNG TO SECRETARY FRELINGHUYSEN

Legation of the United States

PEKING, October 2nd, 1882.<sup>6</sup>

Honourable F. T. Frelinghuysen  
Secretary of State.

*Sir,*

On August 19th I had the honour to address you a despatch No. 5. in reference to the sudden outbreak in Corea, and the reasons which led me to ask from the Department authority to send a man-of-war into Corean waters. In this despatch I reported the existence of what threatened to be a revolution. There had been a massacre of Japanese subjects by an armed force of Coreans attended with circumstances of almost unexampled atrocity in the dishonouring of the Japanese Legation. Public opinion in Japan had taken fire and the military party were eager for war, especially eager that the war should involve China. Troops and men-of-war had been sent from Japan to Corea.

The Japanese Foreign Minister had gone to Simonoseki to direct operations. General Saigo, who commanded the Japanese Expedition against Formosa, and perhaps the most celebrated, and the most popular of the Japanese military chiefs had been summoned to Tokio, with the presumed intention of giving him command of a military expedition. The Chinese Government had also acted with unusual alacrity. Troops and men-of-war were at once ordered to Corea to protect the government and watch Japan. Li-Hung-Chang, the Viceroy of Chihli, whose fame and rank in the Chinese Service came from his command of the Chinese army which suppressed the Tai Ping rebellion, was directed by the Emperor to leave the retirement into which he had gone to mourn his mother's death and return to the direction of military affairs. In the meantime a zealous, able and daring young official, Ma Kien Tsung, a Taotai much esteemed by Li and known to be in his confidence, had been sent to Corea with plenipotentiary powers.<sup>7</sup>

<sup>6</sup> Department of State, China Despatches, vol. 61, no. 27, 1882.

<sup>7</sup> On July 23, 1882, there was a mutiny of Korean troops in Seoul arising out of delay and fraud in the payment of the soldiers. The discontented sought the sympathy and leadership of the Tai-wen Kun, the king's father, who had formerly been regent. The ex-regent appears to have manipulated the affair into a general uprising which aimed at the displacement of the queen, and the expulsion of the Japanese, in other words, a demonstration against all progressive influences. Korean soldiers attacked and burned the Japanese legation, killed the presiding Korean minister, and presumably would have killed the queen had she not escaped into the country. The Tai-wen Kun became military dictator. The members of the Japanese legation escaped to the coast, boarded a junk, and were eventually returned to Japan by a British surveying vessel. This information reached Young in Shanghai, where he was delaying a few days *en route* to his post at Peking. Young had just been renewing acquaintances in Tokio. Information as to the measures of redress proposed by Japan were conveyed to Young by the Japanese consul at Shanghai acting on orders from Tokio, and this was supplemented by personal letters from members of the Japanese Foreign Office. Young was therefore in the unusual position of being in correspondence, almost equally intimate, with the foreign offices of two powers which were on the verge of war with each other. On August 1 Young telegraphed Frelinghuysen asking

It was furthermore my duty not only to point out to the department the exceptional gravity of the situation, but also the part that in my judgment seemed to devolve upon the United States. We had just signed a treaty with Corea, the first of the outside Powers to enter into a convention. It was natural that our counsel would be the first the Coreans would invoke. It was proper also that the American flag should be seen in Corean waters whenever events menaced American interests. Our influence would largely affect the action of China, and much depended upon this because the relations between China and Japan had become strained. Knowing the sensitiveness of the Japanese in reference to the treaty with Corea by Commodore Shufeldt it seemed also fitting that the Commander of the *Monocacy* should bear to the Japanese a message of sympathy for the massacre of their people and the outrage of their legation.

Commander Cotton therefore in obedience to the instructions which I had the honour to give him, and which form one of the enclosures in my despatch No. 5. left Chefoo for Corea on the 12th of August and returned on the 5th of September.<sup>8</sup>

The narrative of his experiences will be found in his letters enclosed in this despatch. It seems that the outbreak in Corea was inspired by political differences. In Corea as in other Asiatic nations there are two parties, one opposed to the foreigner the other in favour of progress from a foreign standpoint. The King of Corea believes in progress. The leader of the reactionary party was no less a person than His Majesty's father (Tai-won-Kun.)<sup>9</sup> The massacre was the result of a conspiracy, and was directed against the Japanese, as aliens to be exterminated or expelled, and against the present dynasty as too much swayed by foreign influence. The Chinese force under Ma-Kien-Tsung took the King's father prisoner and sent him to Tientsin. In doing this he issued a notable proclamation to the Corean people, which I enclose.<sup>10</sup> In this that the President order a naval vessel to Korea to protect American interests. In reply Admiral Clitz was directed to place a war-vessel subject to Young's orders—another detail almost unique in American diplomatic history, it having been very unusual to remove a naval vessel from the orders of the proper naval authorities even when diplomatic interests were involved. China Despatches, vol. 61, Aug. 1, Aug. 15, Aug. 19, 1882.

<sup>8</sup> These instructions, dated August 9, were in substance: preserve strict neutrality; offer "friendly offices", saying that the President has "heard with sorrow" of the attack upon the Japanese Legation; it is expedient, read the instructions, "that the Japanese should look upon your coming as an act of courtesy. I am anxious to have it so appear. It will strengthen our relations with Japan. It is the most important political consideration attaching to your visit"; but do not join with the Japanese in any demonstration for indemnity, and if they propose it try to dissuade them.

<sup>9</sup> Subsequent events proved this distinction between the king and his father to have been inaccurate. The king may have welcomed innovations but it can hardly be claimed for him that he believed in progress.

<sup>10</sup> *Text of the proclamation of Ma Kien Tsung*: "Korea, a dependency of China, has always acted in accordance with established customs, but of late powerful functionaries have abused the administration for the promotion of their personal interests. Consequently those abuses attained a degree which culminated in the outrage of July last. The murdering of the Queen; contempt of the King; an attack on officials and the people, all simultaneously, form a remarkable event

proclamation Ma-Kien-Tsung recites the reasons which led the Chinese to send a military and naval force. Bad men had abused public interests for personal gain. The Queen had been murdered.<sup>11</sup> The honour and authority of the King had been assailed, by "a ringleader whose motives are either ambition or envy". The news of this had filled the Emperor of China with rage, and he sent Ma-Kien-Tsung, and the armed men "to make personal inquiries" and "award adequate punishment".

What is specially to be noted in this proclamation is the assertion by the Emperor of China of his sovereignty over Corea. And yet in the treaty made by Commodore Shufeldt, the independence of Corea is acknowledged. The foreign office in writing to my predecessor Mr. Low in March 1871 said—"In relation to this request we may observe, that although Corea is regarded as a country subordinate to China, yet she is wholly independent in everything that relates to her government, her religion, her prohibitions and her laws."

The claim of sovereignty is more clearly set forth in an Imperial Decree, which has just appeared in the Pekin Gazette, a translation of which I enclose.

For centuries, according to the decree, the rulers of Corea have been confirmed by the Emperor, and ever have been loyal to the imperial throne. His Majesty feels the same interest in the happiness of the Coreans as in that of his own family. When his Majesty therefore heard of the insurrection he sent a force to protect the King and arrest the insurgents.<sup>12</sup> He summoned Li Hung Chang to Tientsin to consult. His forces had arrested "a hundred and some tens" of the insurgents, put in the history of Korea, which has no parallel. In all riots there must be a ringleader whose motives are either ambition or envy. Rumour says that Tai wön Kun was the ringleader of the riot. When this news reached the Emperor of China, His Majesty burst into a great rage, and said if Tai wön Kun had participated in the disturbance he deserved the name of a ringleader. His Majesty despatched the troops especially to bring Tai wön Kun to China, in order to make personal inquiries, and will award adequate punishment to the principal instigator. Therefore the people are assured not to have any fear for the future. Tai wön Kun will proceed to China with Ting, the commander of the squadron in Northern waters. His Majesty will exercise all discretion in carrying out justice. Therefore Tai wön Kun will not be subjected to any punishment other than his actions deserve. The present proceedings will have caused excitement among the people as they are unacquainted with the true intentions of the Emperor but they need not be afraid.

"If the rioters attempt rising again, they will have to meet the thousand troops who are ready to proceed both by land and sea, and more are expected to arrive. They had better take warning. Those who rise against the Imperial expedition will receive some punishment. Do not be led astray, keep quiet, and refrain from any rebellious proceedings. The Emperor will treat the King and the people with great kindness, as though they were his own kin. I, Ma Kien Tsung, came here with instructions from the Emperor and to carry out his most gracious will.

"Pay attention to this admonition. August 13th the eighth year of Kwan su" [1882].

<sup>11</sup> It was generally reported at this time that the queen, who had disappeared, had been murdered.

<sup>12</sup> The queen was believed to have applied to China for help. Stead, p. 185.

the leaders to death and released those who had unwittingly taken part in the insurrection. Within ten days the imperial troops had restored order. The principal leader, the King's father, had been arrested by the imperial command and delivered over to Li Hung Chang and another high Chinese official for examination. This prince who had been regent during the King's minority, had according to the Emperor oppressed the people. He knew of the riot and "had not spoken an honest word to prevent it". He had connived at plots against the throne. "In view", says the memorial, "of his insolence in usurping authority, and plotting the destruction of the government, he ought to be dealt with in accordance with the utmost severity of the law." "But the Emperor remembers the relationship between the King and the prince", and for this reason, out of respect for the filial sentiments of the King, he shows the rebellious prince "high special mercy" and grants him life. At the same time the prince is condemned to perpetual banishment from Corea with a residence at Pao-Ting-Fu, the capital of the province of Chihli. The prince will have his wants generously provided for, but the Emperor commands that he be zealously guarded "in order to destroy the thought of rebellion".

Notwithstanding this clear avowal of sovereign power over Corea by the Emperor, an avowal that according to Western ideas would have justified Japan in asking the Peking Government for explanations in reference to the massacre, the Japanese ignored the Chinese and dealt directly with the Coreans. They marched troops into the country, re-established the legation and made a treaty of peace, a translation of which I enclose. In this treaty Corea agrees to arrest the ringleaders of the mob within twenty days, and to inflict severe punishment upon them. The Japanese may send deputies to assist the Corean officials in making arrests. The families of the slain and the wounded will be paid \$50,000—as an expression of sympathy. Corea will pay \$500,000 in ten annual instalments, as an indemnity to Japan for damage done to the legation and the expenses of the expedition. The Japanese will maintain a guard around their legation for a year. The Corean King will send an official of high rank to Tokio to "thank the Japanese emperor for his forbearance". Two additional articles refer to the opening of ports and the right of travel.<sup>13</sup>

It is I think much to be regretted that the Japanese authorities in making their convention should have insisted upon an indemnity. The amount, five hundred thousand dollars, is not exorbitant, although it will fall heavily upon a people as poor as the Coreans. The principle which Japan here accepts in its application to Corea is the very principle against which her government has been contending when applied to herself by the Western powers. The Simonoseki indemnity, which was exacted from Japan and about which there have been important debates in Congress, was resented by Japan, because it was imposing a fine upon a nation for acts committed by the subjects of a tributary and at the time an irresponsible prince. The American Government by executive messages to congress, and by the declarations of your predecessors has disapproved of the Simonoseki indemnity and the policy it embodied.<sup>14</sup> It

<sup>13</sup> The text of this convention, which does not appear to have been included in any collection of treaties or state papers, is printed below as no. VIII.

<sup>14</sup> The Shimonoseki indemnity money, amounting to \$785,000.87, was appropriated for payment to Japan by act of Congress, Feb. 22, 1883. The total amount returned to Japan, including interest and gain by the increased value of the U. S.



seemed a hardship, a violation of the higher ethics of international comity for the Western powers to impose terms upon a weak nation like Japan which would not have been tolerated between one another.

There was everything about the massacre in Corea to be deplored. But there was no reason for holding the sovereign or the people responsible. It was one of those sudden, inexplicable outbreaks of popular frenzy which have so frequently attended the efforts of the Western powers to open commercial relations with the Asiatic nations, and to be attributed as much to ignorance and fear as to any other cause. In the case of Japan furthermore, it is said that her policy towards the Coreans has not always been conciliatory. It has for some time been a tradition in Japanese politics that Japanese influence should be paramount in Corea. Some of Japan's ambitious statesmen have been credited with a desire to annex Corea. Whether true or not, it is clear that the Coreans have imbibed towards the Japanese a feeling of distrust.<sup>15</sup> Commander Cotton, in a letter dated Sept. 1st forming one of the enclosures in this despatch, bears testimony to the existence of this feeling. Speaking of a visit to his ship by some local Corean Authorities, who came in Oriental fashion to bring simple homely presents, Commander Cotton writes: "He" the magistrate "said the Coreans dislike the Japanese excessively because the latter treat them so contemptuously; but that they like Americans and were very glad to see an United States ship-of-war present." The commander expresses the belief that the magistrate was speaking the sentiments of his people.

This sentiment existing, it seems unfortunate that the Japanese should not have attempted to allay it, to win the confidence of the Coreans, to inspire them with that feeling of friendship and respect which they entertain for Americans, and not add to existing embarrassments and create a new grievance by imposing upon the King a burden of the kind which the Mikado found it so hard to bear when it came to him from the Western powers as a consequence of the Simonoseki affair. That would have been a much more solid advantage to Japan than the mere money which comes into her treasury as an indemnity.

This is a view of the treaty which will not be shared by the other powers. America alone has pronounced against this pernicious principle. The powers which compelled Japan to pay a fine for unexpected outbreaks against foreigners will be glad to see the Mikado adopt the same course in dealing with Corea. It will be their vindication. It makes it difficult for bonds in which the money had been invested, was \$1,837,823.78. See J. C. Bancroft Davis's notes in *Treaties and Conventions of the U. S.* (Washington, 1889), p. 1350; or Payson J. Treat, *Early Diplomatic Relations of the United States and Japan, 1853-1865* (Baltimore, 1917), pp. 412 ff.

<sup>15</sup> That Young was well aware of this fact and its possible implications for the present moment appears more clearly in a previous despatch, Aug. 15, 1882, where he wrote: "I am not sure—because on this point I write with reserve and from imperfect information—but that the policy of Japan towards Korea may not be open to censure, and that under all lie dormant purposes of aggrandizement justifying the fears expressed by the Chinese Cabinet." Then he adds, "There is a strong party in Japan, a military class dissatisfied with the peaceful tendencies of the government, and who see what in our political literature would be called 'manifest destiny' in an enterprise against Korea." See Stead, pp. 149, 165; also *Americans in Eastern Asia*, pp. 427, 527, 533-536.

Japan to advance those just and unanswerable arguments against "Western Oppression" which have awakened so much sympathy in civilized communities. It will make it more difficult for the United States to sustain the policy which our Government alone have accepted, and which has done our diplomacy so much honour.

I have had no opportunity to express these views where they would be of any advantage. My colleagues in Peking with whom I have spoken are pleased with the treaty. As I said above the indemnity imposed upon Korea is the approval by Japan of the action of their governments in former days. So far as the treaty brings peace it is to be commended. Considering the provocation and the massacre, the terms imposed by Japan cannot be regarded as harsh. My only objection is to the principle involved, an objection that would be as valid if the fine had been five, and not five hundred thousand dollars. There was no war, nothing on the part of the Japanese necessarily involving a large outlay. To be sure ships were equipped and troops moved. England fitted out ships and sent troops to Canada pending her demand upon the United States for the surrender of Mason and Slidell. She moved a large body of soldiers from India to Malta when relations with Russia were in peril during the recent Russo-Turkish war. In neither case did England ask or expect from the United States or Russia any indemnity for the outlay. Japan to have been consistent in following the diplomacy of Western powers should have pursued the same course in dealing with Korea.

You will note in the letter of the Japanese minister, Mr. Hanabusa, addressed to Commander Cotton, a recognition by the Japanese of the sympathy and friendly feeling shown by our Government in sending the *Monocacy* to Korea. You will also note an important conversation with members of the Yamên. The Chinese ministers not only express their thanks for this action, but believe that the presence of the American man-of-war in Korea at the time contributed greatly to a peaceable settlement. This concurs with my own opinions, but at the same time I value an official recognition of the fact by the Chinese Cabinet.

I would also ask your attention to a correspondence with the members of the Korean Embassy. These envoys arrived in Tien-tsin to confer with Li-Hung-Chang. You will see that the Government is not only anxious to have the treaty made with Commodore Shufeldt ratified but also to have an envoy from the United States resident in Korea.

In my response I expressed no opinion as to the ratification of the treaty.<sup>16</sup> I have given the subject much attention, and believe that it will

<sup>16</sup> *Text of the correspondence between Korean ministers and Young:* "Chao and Chin, Senior and Junior Ministers of His Majesty the King of Korea herewith make a communication.—The affair of July 23rd in our country was purely an internal difficulty which has already been completely adjusted. The Treaty which has been signed and sealed will be carried into effect in all the particulars of its several stipulations in accordance with the provisions of international law.

"If your Government ratifies this treaty and appoints an Envoy, it is requested that he may come to Reu-chuan and exchange certificates of ratification, to the end that the two Governments with their respective citizens and subjects may mutually enjoy the benefits arising from its observance.

"The undersigned having come to Tientsin upon Official business, and fearing that exaggerated reports may have reached your Government and created a feeling of distrust have felt bound to make this communication to which they beg your attention."



be for the best interests of Korea that the United States should be in treaty relations with her sovereign. Any apprehension as to wounding the susceptibilities of Japan has I think been extinguished by events. Nor can I see that Japan can have a fair ground of complaint. The United States has done what Japan did years ago, namely made a treaty. The objection that the American treaty was inspired by the Chinese and was merely a step in Chinese diplomacy towards Japan is a sentimental one, a question we can hardly permit ourselves to discuss with another power. If we accepted Chinese aid it was only doing what we had a right to do. The same objection would apply to the English and the Germans, both of whom have signed conventions on the same basis as that of the United States. England went even so far as to admit the clause excluding opium. Neither of these nations have ratified their conventions but a ratification is taken for granted. It would be awkward for the United States having taken the first step now to recede.<sup>17</sup>

The objections that Korea is not an independent power;—that she is the dependency of China, that she stands towards the outside nations like Bavaria as a part of the German Empire, and Pennsylvania as a state of the American Union, and that a treaty to be valid should have the consent of the Chinese Emperor is worthy of serious consideration. I am informed that the French minister to Peking takes this ground. It is

“To Chao and Chin, Senior and Junior Ministers of H. M. the King of Korea: Your Excellencies, I am in receipt of your communication of (September 18th) written from Tientsin. In this you give me the welcome news that the said affair of July 23rd has been arranged:—and, that the convention between your government and Japan will be carried into effect ‘in accordance with the provisions of international law’. You also request my government in the event of the ratification of the treaty signed with Commodore Shufeldt 1882, to send an envoy to Korea to exchange ratifications to ‘the end that the two Governments with their respective citizens and subjects may mutually enjoy the benefits arising from its observance’.

“I shall be happy to lay before my Government the communications with which your Excellencies have honoured me. At the same time I am gratified to know that the unfortunate disturbance in your country has been suppressed, and that relations have been established with Japan.

“The United States having been the first great power to give her hand to Korea—and ask Your Sovereign to come within the circle of civilized treaty-observing nationalities,—to the end that commerce, trade, manufactures and the advantages of civilization may be enjoyed by your people, cannot fail to view with deep and friendly interest all that concerns the welfare of your sovereign and his Kingdom.

“I am happy to have occasion to express these sentiments to Your Excellencies. For your communication accept my thanks; and the assurance of my high consideration.—I am, etc.

JOHN RUSSELL YOUNG.

<sup>17</sup> The British and German treaties modelled on the Shufeldt treaty and signed a few days later were not ratified owing to the protests of merchants particularly in Japan. Because of their liberal provisions in favor of Korea they were rejected and the following year Sir Harry Parkes and Herr von Brandt effected new treaties which omitted practically all of the liberal provisions of the Shufeldt treaty and laid upon Korea burdens even more onerous than those then borne by China and Japan. *Americans in Eastern Asia*, pp. 520–522.

difficult to understand the shadowy, shifting, elastic, evanescent relations between these great Asiatic empires and their subordinate states. One would think from our point of view that if China were the mistress of Corea, she would govern the country and make treaties with foreign powers, just as she has suppressed a rebellion and banished a royal prince. China, however, allows great liberty and local autonomy to the provinces. Until there is a change in her whole Government, railways, an army, a consolidated navy, a mint, a financial system, we cannot expect from the emperor as a treaty-making ruler the responsibility that attaches to the Emperor of Russia, or the President of the United States. There is, it is worthy specially to note, a tendency on the part of some statesmen here to draw tight the reins of central authority, and govern the empire from Peking. China no longer shows that indifference to her outlying dominions, which enabled Portugal to occupy Macao, England Hong Kong, and the Russians to annex large portions of the frontier dominions. She shewed this awakened interest in the integrity of her empire, when the Japanese invaded Formosa, and annexed Loo-Choo. She showed it in dealing with Russia on the Kuldja question, and she shows it now in Annam. The effort of China indeed, to establish relations between Corea and the United States, arose from her desire to throw so important and so exposed a fragment of her territory under the moral protection that might possibly come from treaty stipulations with Western states.

The question whether a treaty with Corea would hold good without imperial approval will find an answer in Siam. We look upon the King of Siam as a Sovereign. We have just sent a minister to his court. And yet Siam is as much a dependency of China as Corea.<sup>18</sup> Until within recent years, Siamese Kings have sent tribute to the Chinese Emperor. The Custom has been allowed to fall into abeyance, as so many things have fallen into abeyance, in this strange, perplexing and most illogical land. The Siamese sovereigns took their freedom from tribute for granted, and the world regards them as independent. But Siam could claim from the Emperor of China protection, and the Emperor could claim from Siam loyalty. No outside power could challenge either pretension.

There is no reason why we should not have treaty relations with Corea as well as with Siam. Moreover the treaty we have made has many most excellent provisions. It is a generous treaty when compared with conventions that have heretofore been signed between the Western powers and Asiatic nations, superior, I think, to any convention signed by Western powers, with China or Japan, more of the spirit of what should be the American policy of dealing with Asiatic nations. I do not like the

<sup>18</sup> At about this time the imperial government through the viceroy at Canton made overtures to Siam inviting the latter to resume the custom of sending tribute to Peking, which had been discontinued in 1834, that is to say, twenty years earlier than Young supposed. China Despatches, vol. 63, Jan. 3, 1883, and Jan. 25. The suggestion was promptly declined by Siam. What Young was witnessing, as he once remarked, was the conflict between the "manifest destiny" party in Japan and a new nationalistic or dynastic movement in China which was seeking to bolster up the tottering fortunes of the Manchus. The reclamation of Korea and Siam would have greatly increased the prestige of the Manchus, which had been declining for more than half a century.

provisions concerning customs dues and extraterritoriality.<sup>19</sup> At the same time, especially in opening a new country like Korea, and until we have some assurance of an enlightened government, such an assurance as Japan has given the world in her new code of laws, it would be difficult to avoid the claim of extraterritoriality. No other treaty powers would follow our example. So far as this and the customs regulations are concerned it is an advantage that the treaty provides for a revision in a term of years. Then Korea can do, what Japan unhappily has failed to do, claim the privileges and respect due to an advanced civilization and eliminate these obnoxious clauses.

I think also that the establishment of treaty relations with Korea, and the presence of an American representative at the Korean court would tend to the preservation of peace between China, Korea, and Japan. I may say that my constant aim since I came to the East has been to cultivate the best relations between these Asiatic countries. In my conversations with the Japanese ministers when in Tokio, and especially in my recent interview with Li-Hung Chang to which I refer in another despatch I held as a paramount consideration the necessity of peace. I pointed out that there could be no advantage in war, no matter how it ended except to outlying nations, ever on the alert for aggrandizement in Asia. China had within recent years surrendered territory to Russia and England. She was now in apprehension of French advances towards Annam. Japan had given to Russia a valuable island, and she was trying without much hope of success to release herself from a treaty which made her the commercial vassal of the Western powers. The true policy of Korea, China and Japan, I might also include Siam, is one of alliance and friendship. If they remain together and advance in the arts and sciences in time they can take their place in the family of nations as equals and friends.

I set great value upon maintaining our influence with Japan. I value as much as is possible the preservation of good relations with China, and I look forward to a brilliant future for American interests and American ideas in this empire. But there is no reason why our voice should not be regarded in Tokio as well as in Peking. The prosperity of Japan is very near to my heart and the only thing I regret about the Korean treaty is that it was not made without wounding the susceptibilities of Japan.<sup>20</sup> If this could not have been avoided, a point that I am not in

<sup>19</sup> Art. IV. provided for extraterritorial jurisdiction with the limitation that it would be abolished as soon as Korea had reformed her codes. Art. V. fixed the maximum duties on necessities at ten per cent. and those on luxuries at thirty per cent. The duties in China and Japan were limited to five per cent., but Young apparently thought that even the Shufeldt treaty was not liberal enough. He was reflecting the resentment which General Grant had expressed when he saw to what an inferior position the Western powers had consigned China and Japan in the treaties.

<sup>20</sup> Young appears to have been a little unfair to Shufeldt at this point. It seems reasonably clear that Shufeldt had given Japan every opportunity to render to him the services which were later offered by Li Hung Chang. *Americans in Eastern Asia*, pp. 454 ff. One feels that Young had not fully grasped the situation in Japan and that Japanese statesmen were now making much of this fancied affront in order to secure from Young just such help as he gave them in China and Korea. In Peking Young left the reputation behind him of having been "pro-Japanese".

a position to discuss, at least we can do what we can to shew that nothing was intended—and nothing done in Korea that would not in the end serve Japan and aid that brilliant picturesque and fascinating country in her best interests. I believe now that if we could induce Japan to revise her treaty, and accept one on the basis of our convention and in doing so not only follow our example but the example of England and Germany—it would be to her an ultimate and permanent gain.<sup>21</sup> The Japanese treaty was made in 1876. The Japanese envoys who signed it were Mr. Inouye and Mr. Kuroda, at present members of the Japanese cabinet. It gave offence to China especially in the first article. “Chosen” said the treaty, “being an independent state enjoys the same sovereign rights as does Japan.” This declaration was regarded as putting aside even the shadow of Chinese Sovereignty which had not been disturbed for centuries. It was feared that it was only a precursor to an attack by Japan upon the independence of the Koreans. For if Korea had the same sovereign rights as Japan, China could have no concern as to what befel her. In addition to this the Chinese had discovered that Korea was so placed from a military point of view that whoever invaded her territory had an open door to the Chinese empire.

If Japan could be persuaded to look at the question in this light and revise her own treaty so as to make it correspond with our own convention, I can see no reason for irritation. Whether Korea is a dependency or a sovereignty, China can never look without natural apprehension upon any infringement of her territorial integrity. The maps will shew the military importance of Korea. A Russian or a Japanese army in that country would be a grave menace to China. The Chinese are

<sup>21</sup> This proposal now appears extraordinarily naïve, but there is some reason for believing that if the powers had shown at that time any real disposition to be just towards China, Japan, and Korea the Japanese statesmen would have met them with appropriate responses.

In this connection it is remarkable to note that late in December, 1882, Admiral Enomoto, Japanese minister in Peking, submitted to Young in a personal conversation the plan for the neutralization of Korea. Young reported the Japanese minister as saying (China Despatches, vol. 63, Dec. 28, 1882): that Japan could never agree to having Korea become a Chinese province and thus at any time a base of attack upon Japan; disclaiming any intention of Japanese occupation of Korea, the admiral said that it had been suggested that a congress of England, Germany, Russia, France, and the United States be held in Tokio to consider the whole Korean question; that Japan would propose in the conference that the powers should guarantee the independence of Korea and its neutrality in the event of war. He stated that he would like to see Korea politically another Belgium. He had seen Sir Harry Parkes and had reason to think that England would favor the suggestion. The admiral thought such an agreement would guarantee perpetual peace in Asia. He expressed great confidence in Russia, which had treated Japan very well in Korean matters.

There is so much to criticize in the subsequent dealings of Japan in the Korean matter that it is only fair to record this, the only really constructive proposal ever made for the settlement of the Far Eastern question, and it is equally regrettable to note that this proposition never received from the American government the slightest recognition. This proposition would appear to have grown directly out of the extremely friendly relations which General Grant and Mr. Young had sustained with the Japanese statesmen.

persuaded of this, and they showed their fear with an enterprise and swiftness unusual to the Oriental character when they sent troops to suppress the outbreak. Japan should be made to see that by making her treaty with Corea, correspond with the treaties of England, Germany and the United States, she would be stronger among the nations. She would be in a position to improve her relations with China and Corea. I have no doubt the new policy on her part would go far towards assuring peace in Asia.

It will require earnest counsels not only with Japan but with China to bring this about. It is difficult to reason with angry minds. China feels that she was overreached by Japan in Formosa. She answers by resuming a practical sovereignty over Corea and announcing her purpose to maintain that right.<sup>22</sup> Japan feels that the recent conventions destroy

<sup>22</sup> "An Imperial Decree. Corea is a state tributary to Our Empire. For centuries as a feudatory state her rulers have been confirmed by us, and we have always esteemed her as loyal and respectful. The Throne has always looked upon her happiness and her sorrows with the same interest as upon those of Our own family.

"Some time since Chang Shu sheng memorialized Us, that the Korean soldiery had risen in insurrection and suddenly in July had invested the Palace, killed the Queen and certain high officers of State. The Japanese Legation also suffered at their hands. Thereupon we commanded Chang Shu sheng to despatch a naval and military force to proceed thither to protect the King and arrest the insurgents. And as the period of Li Hung Chang's retirement was completed he was summoned to Tientsin to concert measures. Shortly thereafter the Admirals Wu Ch'ang fa and Ting Ku Ch'ang, and Intendant Ma Chien Chung led a force to Corea, and entered the Capital where they arrested a hundred and some tens of the insurgents, put their leaders to death, and released those who were forced into the riot. Within ten days the riot was quelled, quiet restored, and men's minds set at ease.

"It appears from common rumour that the origin of the trouble was in a demand of the soldiery for their pay, and on all sides it is agreed that the person who stirred up the soldiers to revolt was Li Yü Ying Ying. Wu Chang fa and his associates brought him to Tientsin. We ordered him to be handed over to Li Hung Chang and Chang Shu-sheng for a thorough examination and a memorial in report.

"It appears that Li Yü Ying Ying during the minority of the King assumed absolute authority and oppressed the people. His evil deeds came to light. After the accession of the King, Li Yü Ying Ying, as time passed, hated him more and more. Last year, his son, Li Tsai hsien devised a plot against the Throne. In the present affair the rioters went to Li Yü Ying Ying's house and detailed their plans to him. Not an honest word to prevent their action was spoken by him. But after the affair he assumed to himself the grave prerogatives of punishment and reward. But he thrust the matter of the insurrection on one side without even a question. And when he was questioned by Li Hung Chang and his associate he only said many specious things to cover up his evil deeds and would not utter the truth. He is of a class with evil men, and the author of recent trouble. Though he had an hundred tongues he could not escape the responsibility.

"In view of his insolence in usurping authority, and plotting the destruction of the Government he ought to be dealt with in accordance with the utmost severity of the law. But we remember that the King of Corea is of the same

AM. HIST. REV., VOL. XXX.—7.

all that was gained in her own convention of 1876, and so she imposes upon Corea an indemnity and compels the King to send an embassy of apology to Tokio, following in this the truculent traditions of Western diplomacy. The imperial decree banishing the father of the Korean King, and the proclamation of the Chinese commander, are much to be regretted because their principal effect will be to annoy the Japanese. The decree itself is unfortunate in the fact that it may be construed as opening the question, to which I referred above, whether a Korean convention could be valid without the approval of Peking, and whether, if the approval of Peking is necessary, there is any use of dealing with Corea.

This question is one that can only be decided by the department. In conversing with my colleague Mr. von Brandt, the German minister, I found that he laid no stress upon it. I should respectfully advise that the point be allowed to lie dormant, unless the other powers should raise it. If they deem it prudent to ask the ratification of the Emperor, I see no reason why we should not unite in the demand. If they are satisfied that the convention as it is, is sound and honest, with a responsible government behind it, a government with which we can deal, it is none of our concern as to what mysterious, religious attitude its King may choose to hold towards another sovereign. Practically, except as far as it may affect Chinese and Japanese politics, the question is not important. A great deal must be done in Corea to develop its resources and excite trade before any thought need be given to her form of Government. In this is involved the important consideration. The door is open. The people are anxious to have us. They look upon our flag as an emblem and an assurance of friendship. They ask us to send diplomatic and consular representatives. Putting aside all political consideration—and thinking alone of American influence in the East, and the advancement of our trade, I am strongly of the opinion that the treaty should be ratified and American interests as soon as possible be given in charge of American representatives.

The other treaty nations will not be slow to press their advantage and we should not miss our opportunity.

I have the honour to be,

Sir,

Your obedient servant,

JNO. RUSSELL YOUNG.

family with Li Yü Ying Ying. If therefore he be dealt with according to the severity of the law the King of Corea could not forgive himself. In view of this special mercy will be bestowed upon him and his wickedness overlooked.

"Let Li Yü Ying Ying be pardoned from the penalty of his offenses, sent to reside at Pao Ting fu, and never permitted to return to his native land. Let the Viceroy of Chihli provide generously for his wants and guard zealously all his movements in order to destroy the thought of rebellion with its troubles in Corea, and thus to assist the King in this time of the overturning of the natural order of relations. Let the military force of Wu Chang fa remain for the present in Corea to preserve order.

"In regard to guaranty for the future peace of Corea let Li Hung Chang and his associates consult with care bearing in mind the desire of Ourselves to devise measures in accordance with the exigencies of the situation to restore peace and quiet to Our feudatory State.

"Respect this.

"Peking Gazette of September 25th, 1882."



II. COMMANDER C. S. COTTON TO MR. YOUNG.<sup>23</sup>

U. S. S. *Monocacy*, 3rd rate,  
Off ROZE ISLAND, Corea.  
August 29th, 1882.

Sir,

I have the honour to inform you that in compliance with your instructions of the 9th inst. I sailed from Chefoo at 9 A.M. on the 12th inst. arriving here at 4.40 P.M. the following day. This is the place designated in your letter, and known, I believe, to the Chinese, as *Reu chuan*, and to the Japanese as *In cheu*.

I found here a Japanese force of two ships of war, under the command of Rear Admiral J. K. Nire, and 1200 troops under the command of a General: also a Japanese despatch vessel and two transports (M.B. Steam Ships); and two Chinese steel cruisers, on board of one of which the Chinese Envoy, Ma Taotai's flag was flying. Admiral Ting in his flagship had returned hastily to Tientsin for troops and more ships.

The Japanese Minister was a few miles in the interior, at *In-cheu*.

The customary visits and salutes were exchanged with all the officials except the Japanese Minister.

I conveyed the message contained in your letter to Rear Admiral Nire, for which he returned suitable thanks. I was unable to obtain any information *whatever* from him as to the existing state of affairs here, and only succeeded by persistent questioning in learning the number of troops present and that the casualties among the members of the Japanese Legation, resulting from the attack of the Corean mob, were 13 killed and 4 wounded.

In fact during my stay at this place of 16 days the Japanese have given me *no original* information at all: it has all come from the Chinese Minister and Admiral Ting.

The Chinese Envoy during my visit to him entered into a full and unreserved discussion of affairs, and gave me all the information there was to be had, which subsequent events have proven to be correct.

He informed me that the King's father had usurped the power of dictator; had caused the Queen to be poisoned; had caused the death of her brother and father, and the King's uncle, all of whom were the King's ministers; and also of three other high ministers; that the King was under strict surveillance and without power; that the King's father undoubtedly instigated the attack upon the Japanese Legation; that the King notified the Japanese Minister two or three hours before the occurrence, and has since expressed his regret for the outrage to the Japanese Minister, but stated that he was powerless to prevent it; that the Queen was a very able woman and favoured opening the country to foreigners by treaty, and strongly advocated it, which was probably the cause of her death. The King also favours foreigners, while his father is bitterly opposed to them.

Ma Taotai also informed me that after the arrival of Chinese troops he would take a guard with him to the capital, have an audience with the King himself, and insist upon his restoration to power.

<sup>23</sup> All the documents which follow are copies, enclosures in Young's despatch no. 27 (the preceding document).

On the 14th inst. I addressed a letter to Mr. Hanabusa, the Japanese Minister, a copy of which, marked "A", and Mr. Hanabusa's reply to which, marked "B", are herewith enclosed.<sup>24</sup>

During my interview with Admiral Nire on the 14th I expressed a wish to communicate with representatives of the Korean Government, to which he replied that he thought it might be arranged, but on the 15th he sent me word that he thought that owing to the existing circumstances, the Chinese Minister would be better able to arrange an interview for me, which, in fact, the latter had volunteered to do during my visit to him; and accordingly on the afternoon of the 16th Ma Taotai himself accompanied the Minister of War ("the first minister"), a cousin of the King, and the Under Secretary for the Interior Board, ("the second minister") on board. The latter signed the three treaties; the former the English and the German.

It is a significant fact that none of the ministers who signed foreign treaties have been injured.

The visit was a very pleasant one and lasted some time. I informed the ministers that the President was aware of the attack upon the Japanese Legation, regretted it very much and hoped that the matter would be amicably settled; that he had directed a ship to be sent here, and I had come in accordance with your instructions, to observe and report upon the state of affairs, and render such friendly offices as were proper. They replied that the King knew of our arrival and that they had been sent by him to pay this visit; that he regretted the trouble between Corea and Japan and was very anxious that the former friendly relations existing between Corea and Japan should be restored and continued. Ma Taotai himself acted as interpreter. I expressed a desire to return the visit, but at that time it was impracticable owing to the distance to the capital and the lack of accommodation for foreigners.

Ma Taotai informed me that the Chinese troops would land some 13 miles South from this place, in order to avoid any possible complications that might arise from an accidental collision between the Japanese and the Chinese soldiers; and accordingly the two Chinese cruisers left here, one on the 17th inst. and the other, with Ma Taotai on board, on the 18th for their new anchorage, to reach which by steamer involves a trip of 30 miles.

Meantime the Japanese Minister went to Seoul accompanied by troops, and shortly afterwards Admiral Nire also went. The Japanese Naval Force has been augmented by the arrival of three more ships, and is now represented by the *Kango*, the flagship, and the *Hi yei*, both large, thin armored corvettes, mounting 14 guns and carrying crews of about 300 men each; by the *Nishin* and *Seiki*, smaller wooden corvettes, with about 150 men each, and by the *Juigei*, the Mikado's yacht, 2 guns and 175 men.

H.B.M.S. *Encounter* arrived yesterday; and H.B.M. Surveying vessel *Flying Fish*, surveying outside, has been in twice, but solely in the prosecution of her work. These and this vessel are the only foreign men-of-war that have been here.

Mr. Hanabusa and the Admiral returned from Seoul on the evening of the 25th inst. As soon as I heard of the fact I informed the former that I would like to pay my respects when it suited his convenience, and it was arranged that I should visit him on the 26th, which I did. But my visit yielded me no information beyond the bare fact that he had

<sup>24</sup> Nos. III. and IV., *post*.



entered Sēoul with his troops, with the unwilling consent of the Korean authorities who had provided a place for them, however; that he had an interview with the King in the Palace, and that the King was "very sorry" etc. for what had occurred; that the latter was undoubtedly under stress and not free to carry out his own policy,—altogether, I was led to infer, not a very satisfactory interview, as mine with Mr. Hanabusa, assuredly was not.

This morning one of the Chinese cruizers came up from below, and Captain Clayson, an Englishman in the Chinese Navy, who has been with Admiral Ting for three years, came on board and informed me that Ma Taotai and Admiral Ting, with 100 "blue Jackets", went to the Capital last Saturday morning and that the Admiral returned to the fleet *Sunday evening* with the *King's father a state prisoner*; and that the latter is to be sent to *China* to-morrow; also that the King is restored to power, and that everything is apparently restored to its former quiet status in Sēoul.

The Chinese have certainly accomplished their object in an incredibly short time and without creating a disturbance; and I am of the opinion that it will facilitate an understanding between the Governments of Corea and Japan, which would apparently have been very difficult to accomplish with the King's father in power and the King himself a mere puppet in the former's hands.

Captain Clayson informed me that the Chinese have landed 5000 troops, who are now encamped; that there are six Chinese ships of war below, and that one of them will sail for Chefoo early to-morrow morning.

I shall get under way this afternoon and go down the river to the Chinese fleet in order to send this.

This is the first opportunity I have had to communicate with you; although steamers have returned to China from below, I did not know of their movements, being so many miles away from them.

I do not know when I shall return to Chefoo. I shall remain a little longer to see if I can get any information from the Japanese minister; if not I think I will leave, at all events return to Chefoo to await further instructions from you.

I have no orders of any description from Admiral Clitz, but am acting entirely under your direction in this matter.

In my opinion the crisis has passed, and it would seem to me that whatever is done now will be accomplished quietly.

Japan will undoubtedly demand indemnity of some kind; and if the demand is moderate and just, and such as this poverty stricken country can meet I have not much doubt that the existing differences will soon be reconciled.

I am etc.

C. S. COTTON  
Com'dr U. S. N.  
Com'dg.

## III. COMMANDER COTTON TO MR. HANABUSA.

U. S. S. *Monocacy*, 3rd Rate.  
Off ROZE I'd, Salee River, Korea.  
August 14th, 1882.

Sir,

In accordance with my instructions from the Hon. John Russell Young, U. S. Minister at Peking, I have the honour to inform you that the President of the United States, having been notified of the late attack upon the Japanese Embassy at the Capital of Korea, has sent me to express his sorrow and regret that so unfortunate an occurrence should have taken place, and particularly that it should have resulted in so great a loss of life: and to render such friendly offices on behalf of the United States as may be proper.

It will give me pleasure to pay my respects to your Excellency at such time and place as may best suit your Excellency's convenience and as may be appointed by you.

I have etc.

C. S. COTTON  
Com'der U. S. N. Com'dg  
and Senior U. S. Naval Officer Present.

## IV. MR. HANABUSA TO COMMANDER COTTON.

IN CHEU FU, Korea,  
15th August, 1882.

Sir,

I have the honour of responding [to] your letter written in behalf of H. E. J. Russell Young U. S. Minister at Peking expressing the kind sympathy of the President of the U. States on our unfortunate event. It was doubly unfortunate; for Japan and for Korea.

Though you give me a great liberty to appoint a day and a place to accept your sympathizing compliments from the President of the United States, yet I have to beg to express a keen regret that it seems just at present impossible to make any convenient arrangements with you therefor. I have been instructed by His Majesty the Emperor of Japan to see the King of Korea to settle the consequential matters of the outrages and leave In Cheu for Seoul very early to-morrow morning.

Thanking you very respectfully for your letter and the kind sympathy of the President of the United States and wishing to return my respectful compliments to H. E. J. Russell Young, U. S. Minister and expressing my great regret to be unable to accept your personal delivery of the compliments on account of the pressing circumstances.

I have etc.

HANABUSA YOSHIMOTO.  
His Imperial Japanese Majesty's  
Minister to the Court of Korea.

V. COMMANDER COTTON TO MR. YOUNG.

U. S. S. *Monocacy*, 3rd Rate.  
Off NAM-YANG-FU,  
18' S. of Roze I'd, Corea.  
September 1st, 1882.

*Sir,*

I had the honour to address you a despatch, the first since my departure from Chefoo, on the 29th ult., which I forwarded by a Chinese man-of-war, which sailed hence for Tientsin on the 30th.

I had an interview with Admiral Ting on the morning of the last mentioned date, and am able to give you some additional information.

It appears, during the late reign of terror in Sēoul, which was inaugurated and presided over by the King's father, that an uncle of the King, whose sympathy was with the latter, was a quiet observer of the progress of events; but that from fear of personal violence to himself he did not dare to make known to the King either his predilection for the cause of the latter or the true status of affairs. But as soon as it became known that the Chinese had removed the King's father from Sēoul and restored the King to power, the uncle at once announced to the King the real state of his feelings, and disclosed to him the names of the chief conspirators in the late revolt against the King's authority,—forty of whom (thirty within Sēoul and ten without the capital) have been arrested.

I understand that they have been either turned over to the Chinese authorities, or that the latter have been requested to deal with them as they may deem proper. I understand also that the first inclination of the Chinese authorities was to behead the King's father; but this truly characteristic method of dealing out summary and well merited Eastern justice was strongly opposed, and, better councils prevailing, it was finally decided to banish him from Corea; he was accordingly sent to China, where I doubt not he will have ample opportunity to meditate upon the singular mutability to which all affairs human are subject.

He was sent to China in the ship-of-war which sailed hence on the 30th ult.

I was also informed that seven articles of agreement were submitted by the Japanese minister for the consideration of the King as a basis of settlement of the question now pending between the governments of Japan and Corea, of which the following are said to be four: pecuniary indemnity to the families of the Japanese killed by the mob; the right of the Japanese Minister to travel throughout the Kingdom; the jurisdiction of Japanese Consuls over the subjects of Japan to extend 100 li from their consulates; and two more ports to be opened. If I have been correctly informed upon these four points, and if the remaining three be as moderate, the demands of Japan, as an equivalent for the gross outrage perpetrated upon her, certainly cannot, it seems to me, be considered extortionate.

In this connection I will here state that I have not been in any way consulted by any of the parties to this difficulty, and, as a consequence, I have had no occasion to act in any other capacity than that of a very much interested observer.

As I stated in my first letter *all* of my information of any value has come from the Chinese, either Ma Taotai or Admiral Ting. I have failed entirely to elicit original information from the Japanese Minister or Admiral. All of the information obtained from them has been either

at second hand or of trifling importance, and this notwithstanding the markedly friendly character of your instructions, of which I apprized them both verbally and by letter; and no lack of every attention and courtesy from me in both my official and personal capacity.

On the 28th ult. one of the local civil officials, a magistrate I think, called on board and brought as presents 26 chickens, 100 eggs and some vegetables.

Some of the officers and myself presented him in return with knives, scissors, needles, thread, tobacco, soap, buttons, combs, a razor and strap etc., with which he appeared pleased.

He said the Coreans dislike the Japanese excessively because the latter treat them so contemptuously; but that they like Americans and were very glad to see an U. S. Ship of War present. He was very curious to know what the U. S. would do in the event of war between Corea and Japan, and whether I would give asylum to Coreans seeking protection on board etc.

I do not doubt he expresses the sentiment of his people hereabouts.

One of the Japanese men-of-war arrived from Roze Island yesterday afternoon. Her commander informed me this morning that the Japanese Minister is making satisfactory progress in his negotiations with the Korean Ministers, and that it is probable that in the course of a few days the Japanese fleet will be dispersed and returned to Japan, leaving a sufficient force here to protect their interests. He also informed me that notwithstanding the reports of the Queen's death Mr. Hanabusa is of the opinion that she is alive. Indeed Mr. Hanabusa mentioned the circumstance to me on the 25th ult., but did not enlighten me as to the grounds upon which he based his impression.

Two of the Japanese men-of-war sailed for Japan yesterday, one undoubtedly with despatches; but what occasioned the departure of the other I do not know.

I propose returning to Roze Island anchorage to-morrow or Monday, to see if I can extract any information of importance as to the state of affairs with the Japanese.

My future movements will depend upon the character of the information I may receive from time to time.

Judging from what I observe occurring about me, upon the scene of action, as it were, I am led to the conclusion that a resort to extreme measures to bring about a mutual understanding between Corea and Japan is improbable, unless Corea should persistently refuse to entertain Japan's proposals, which the former, unless she is backed by China with men and money, is in no condition to do; for she has no money, no arms, no ships, no guns, no anything to prosecute modern war. Chinese aid to Corea would be an element depending for its value upon its character and extent.

This letter will be sent by the *Yeh sin*, which leaves for Chefoo to-morrow.

I am etc.

C. S. COTTON

Com'dr, U. S. N. Com'd'g.

VI. COMMANDER COTTON TO MR. YOUNG.

U. S. S. *Monocacy* (3rd Rate)  
At Sea, off the Mouth of the  
Salee River, Corea.  
September 4th, 1882.

Sir,

My last despatch to you was dated the 1st inst. and was written 18 miles South of Roze-Island.

I informed you in a personal note of the 2nd inst., which I sent with the letter, that I had just heard through a private source that the difficulty between Japan and Corea had been settled.

I had not time to confirm the statement before the departure of the man-of-war sent by Admiral Ting with despatches to Peking, and by which I sent my despatch to you.

Just as I was about to visit the Admiral he sent Captain Clayson on board to inform me that he was just in receipt of official information from the Chinese Minister at S  oul that the negotiations between Japan and Corea had been brought to a successful conclusion, and that the convention was signed on the 30th ult.

I went to see the Admiral, who generously volunteered to furnish me with a copy (in Chinese) of the treaty, which kind offer I gladly accepted, thanking him for his exceeding courtesy, and informing him at the same time that I would not fail to inform you of the valuable service thus voluntarily rendered.

I enclose herewith the copy of the treaty which he gave me, and have sent a copy of it to Admiral Clitz.

Admiral Ting informed me that the King, upon resuming authority, had notified the Com'dr-in-Chief of the Chinese troops as to the whereabouts of the most prominent persons implicated in the late revolt, and empowered him to arrest them, try them and punish them; that about 100 arrests had been made to the present time, and that 10 of the offenders had been beheaded.

I was told also that the Chinese Minister is occupying the house within the palace grounds reserved as the residence of the special Envoy sent by the Emperor of China to invest the new Kings of Corea with the Royal Prerogative.

I expressed my cordial thanks to the Admiral for the many obligations under which his courtesy had placed me for information rendered, etc., and took my leave.

After returning on board ship I got under weigh and went to Rose Island arriving there at 8.15 P.M.

Yesterday forenoon I went to call upon the Japanese Minister and Rear Admiral Nire, but saw neither as they were on shore to attend the funeral ceremonies of the Japanese officers and men who were slain by the Coreans in July.

The King sent representatives to assist at the obsequies.

I learned that Mr. Hanabusa was residing permanently on shore.

Three Japanese men-of-war and H.B.M.S. *Encounter*; two *M.B.* Steamers, (transports), and the Japanese light-house tender (despatch vessel), are at Roze Island.

Regarding the mission upon which this vessel was despatched to Corea as accomplished; and desiring to convey to you as speedily as possible

official confirmation of the information of which I privately advised you on the 2nd inst., I sailed from Roze Island this morning, at 5.30 o'clock, for Chefoo, where I expect to arrive tomorrow afternoon, and where I shall await further instructions.

I have notified Admiral Clitz to that effect.

I have etc.

C. S. COTTON

Com'dr U. S. N. Com'd'g.

VII. MR. YOUNG TO COMMANDER COTTON.

PEKING, Sept. 25th, 1882.

Sir,

I have had the honour to receive your despatches of August 29th, September 1st, and 4th, reporting your action in Corea under my request that you proceed thither with the vessel under your command.

I beg to present my most sincere thanks for the tact and faithfulness with which the delicate duties entrusted to you were performed. The Chinese Government has expressed to me its sense of obligation for the presence of the *Monocacy* in Korean waters during the recent political crisis in that country, and for the good effect thereby produced.

It will give me pleasure to communicate the substance of this despatch through the Department of State to the Secretary of the Navy.

I am etc.

JOHN RUSSELL YOUNG.

VIII. COPY OF SEVEN ARTICLES AGREED TO BETWEEN JAPAN AND COREA.

*Whereas* in the riot of July 23rd evil minded Koreans made a sudden attack upon the Japanese Legation, thereby causing the death of many of its inmates, as also of the Japanese Military Instructor employed by the Korean Government: and

*Whereas* the Government of Japan places great importance upon the maintenance of friendly relations:

*Therefore* it has been satisfactorily arranged that the Government of Corea shall carry out in good faith the following Six Articles together with two supplementary Articles following thereafter, as a satisfaction for the past and a guaranty for the future.

In faith whereof the Representatives of the two Governments have hereunto set their hands and seals.

*Article I.* The Korean Government will arrest the ringleaders of the mob within 20 days from the date of this instrument and inflict severe punishment upon them. Japan may appoint deputies to accompany the Korean Authorities in making arrests. If the arrests are not effected within the specified time, the Japanese Government may take the matter into its own hands.

*Article II.* The Japanese dead will be buried with all the customary honours by the Korean Authorities as a token of regret at their fate.

*Article III.* The Korean Government will distribute the sum of \$50,000 to the families of the deceased Japanese and to the wounded as an expression of sympathy.

*Article IV.* The sum of \$500,000 will be paid by the Government of Corea as Indemnity for the sudden attack of the mob upon the Japanese Legation and the damage done to the premises, and for the expenses in

despatching a naval and military force to protect the Japanese Minister. This sum shall be paid in five annual installments of \$10,000 [*sic*] each.

*Article V.* The Japanese Legation will maintain a certain guard of soldiers as a precaution against disturbances for which force the Corean Government undertakes to provide barracks. If for the space of one year the Corean soldiery and people observe the laws, the Japanese Minister, on being satisfied that it is no longer necessary to guard against disturbances, will withdraw it.

*Article VI.* The Corean Government will despatch an officer of high rank provided with a letter from the King thanking the Government of Japan (for its forbearance? C. H.)<sup>25</sup>

Signed and sealed by His Japanese Majesty's Minister HANABUSA, and August 30th, 1882. by LI YU YUAN and CHIN HUNG CHI Senior and Junior Ministers of Corea.

Copy of Supplementary Convention of Two Articles.

In order still further to confirm in the future mutual good feeling and to facilitate commercial relations the Governments of Corea and Japan have agreed upon the two following supplementary articles.

*Article I.* Hereafter the limit of travel at the foreign settlements at Yuan Shan, Fu san, and Reu ch'uan is enlarged to fifty li in all directions—the Corean li being the standard of measure. And after a period of two years reckoning from the date of the ratification of this treaty, a year being twelve calendar months this limit shall be still further extended to 100 li.

At the expiration of one year from the date of this instrument the port of Yang hua Chen shall be opened to foreign trade.

*Article II.* Japanese Diplomatic and Consular Officers with their families, staff, and servants shall be permitted to travel freely throughout the interior of Corea. Upon notification of the points to be visited a passport will be issued by the Board of Rites. The local authorities will grant protection and escort to the bearers of such passport.

Signed and sealed by the respective Plenipotentiaries.

To be ratified within two months from date of signature (August 30th) and ratifications to be exchanged at Tokio.

IX. MEMORANDUM.

At the request of Minister Young I went to the Foreign Office September 20th, to hear what the Chinese Ministers might be willing to say about a rumoured settlement of recent difficulties between Corea and Japan.

Wang, a member of the Privy Council, and Ch'ên, late Chinese Minister at Washington were present.

H. E. Wang introduced the business himself by saying that the Chinese Government was very grateful to Minister Young for sending an United States vessel of war to Corea; as her commander had acted with great prudence and discretion, and the presence of the ship had done much to moderate the demands of the Japanese and to bring about an amicable settlement of the questions at issue.

He wanted to know whether the Legation had received a day or two before a despatch from the Corean Ministers at Tientsin. I told him

<sup>25</sup> Chester Holcombe, secretary of the United States legation in Peking.



that the despatch had been received and read with interest, and said that a response would be made at an early day. He said that the despatch had been sent at his suggestion to the Representatives of the three Powers which had recently concluded treaties with Corea, in order to allay any misapprehension that might have arisen in consequence of the troubles in Corea, and to reassure the Powers concerned of the desire of Corea to ratify the treaties made and to enter upon friendly and commercial relations. I said, in response to the earlier portion of Wang's remarks, that it would be a source of deep gratification to our Government to learn that the presence of the *Monocacy* in Corea had been of service to either of the powers interested. The United States desired above all things to see relations of lasting and sincere friendship maintained between China, Corea, and Japan, and would always be ready to do all that could legitimately be done to secure this result.

I then remarked that the Legation had heard that a Convention had been signed between Japan and Corea in settlement of recent difficulties, and, after reciting some of the particulars which it was supposed to contain, asked if our information was correct. H. E. Wang responded that it was, and offered to furnish a copy of the treaty to the Legation. Correcting himself, he said he would have a copy made and sent to me personally provided I would not inform any outsiders that it had been received from the Foreign Office. As it was strictly private and confidential he could not furnish the Legation with a copy. To these conditions I readily assented and thanked him in advance for the copy.

H. E. Wang then went on to speak about the terms of the Convention. He expressed himself as satisfied with the General terms of settlement but manifested much warmth of feeling in opposition to the stipulation that Corea is to pay \$500,000 to Japan as indemnity. He declared that the exaction of this sum was uncalled for and unreasonable. The attack upon the Japanese Legation was a mere incident in the riot which the King of Corea regretted exceedingly but which, as the facts fully proved, he was, at the moment, quite powerless to prevent. The King was ready to express his regret in the strongest terms, and to furnish all reasonable guarantees for the future. The Japanese had suffered no considerable damage in property in the riot, and had been put to no great expense *necessarily* in consequence of it. Corea is very poor and the amount named would be a serious burden to her.

Wang said that the Viceroy Li had strongly objected to the indemnity stipulation, that it was inserted without the knowledge of Ma Taotai, and that China would make a determined effort to induce Japan to waive the question of indemnity, excepting the \$50,000 to the actual sufferers from the riot. This amount was fair and ought to be paid. He concluded by expressing a hope that the United States might find some way to speak a word to Japan on this point. To this I made no response beyond saying that what had been said by him would be fully placed before our Government.

The conversation then drifted to other topics.

CHESTER HOLCOMBE.

PEKING, September 25th, 1882.



## REVIEWS OF BOOKS

### GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

*Les Races et l'Histoire: Introduction Ethnologique à l'Histoire.*

Par EUGÈNE PITTARD, Professeur d'Anthropologie à l'Université de Genève. [*L'Évolution de l'Humanité*, ed. Henri Berr, no. 5.] (Paris: La Renaissance du Livre. 1924. Pp. xx, 621. 20 fr.)

A BOOK on "The Races and History" by a man such as Professor Pittard, the well-known Swiss anthropologist, deserves serious attention. The volume, a small octavo of 620 pages (with a number of text-figures) is the fifth of a series on the "Evolution of Humanity" being issued by the above Paris publishers; but is actually the eleventh volume completed of the twenty-six which are to compose the whole series—a characteristic French production. The previously issued monographs have been reviewed already in this journal.

The book contains the following chapters: Race and History; Classification of Human Races; Races and Languages; Primitive Human Races; Races of Europe; the Iberian Peninsula; France and the other European Nations; the Races of Asia, of Africa, of America, and of Oceania; with Conclusions, Bibliography, and Index. The various subdivisions are not of equal value, which is perhaps natural. Those on peoples with whom the author is more directly acquainted through his own descent or work are superior to others. On the whole, however, there is included in the work a great deal of anthropological information. The book differs in fact from all previous ones of related nature in dealing with the subject of European peoples from the anthropological and not the historical point of view. Because of this fact, it cannot but prove generally useful and interesting.

To the professional anthropologist, however, it is not all that could be desired. The writer employs extensively the form of questions where one could wish for information or opinion; there is not enough of detail; and there is too much reliance on the racial significance of the various anthropometric characters and especially indices, which is not in harmony with the most modern views and experience. But the book was not written for professionals.

To those interested in American anthropology the section of greatest interest will naturally be that dealing with the indigenous people of the new continent and here unfortunately the author, in common with so many European anthropologists, is at a considerable disadvantage. He is not himself a direct student of the American aborigines; and evidently he is not sufficiently acquainted with the American literature dealing with

the Indian, for in his entire bibliography he mentions not one single contribution of an American author to the physical anthropology of the Indians, even though a thorough summary of this has now been available for a number of years (A. Hrdlička, *Physical Anthropology: its Scope and Aims, its History and Present Status in the United States*, Philadelphia, 1919). The results are correspondingly imperfect. Professor Pittard still believes in the presence in America of geologically ancient man. He still holds to the Lagoa Santa "ancient race". For him the problems of the origin and unity of the Indians are still unsolved. He sees in America more than one people; about their affiliations, derivation, mode and time of coming, etc., he is uncertain. His information about the distribution of physical types among the Indians of older date and as such is inadequate. Under these conditions and with his caution he could scarcely have arrived at a different view than that the origin and racial composition of the American Indian are still matters of scientific uncertainty, that those who hold more definite opinions are biassed and that we must await the discovery of their fossil ancestors to obtain true light on the Indians in these respects. All of which and more like it could have been written with justification a few decades ago, but is not in keeping with the recent substantial developments of American anthropology.

In Professor Pittard's "Conclusions" there are too many questions. In the first section (pp. 577-579) there are eighteen sentences ending with a question-mark, to nine, and those mostly subsidiary ones, ending with a period. Thus the part brings to the reader rather a mass of problems and uncertainties than definite information or judgment. The author himself recognizes this defect; he cautions the reader not to become prejudiced on this account against "Ethnology". In many points the science cannot as yet give definite answers to important and complicated questions. But how much more knowledge we possess to-day on such problems than we did fifty years ago!

The author's main desire is that the present volume should arouse further interest in anthropological facts and researches, particularly in the wider circles which will be reached by the publication. He finishes by strongly calling attention to the practical services which anthropology has already furnished and will yet render to humanity.

ALEŠ HRDLIČKA.

*Origin and Evolution of Religion.* By E. WASHBURN HOPKINS, Ph.D., LL.D., Professor of Sanskrit and Comparative Philology in Yale University. (New Haven: Yale University Press; London: Oxford University Press. 1923. Pp. iii, 370. \$3.00.)

SEVERAL factors conspired to make this work attractive to students of the religious sciences—the recognized scholarship and authority of the author, the title of the book, and the promise of the first sentence

of the text printed on the cover-page, "Every religion is the product of human evolution and has been conditioned by social environment". More than a hundred years ago David Hume attempted a "natural history of religion", and in spite of all modern advance in knowledge and in the application of the scientific method that goal has not yet been attained. The difficulties were many: there was no agreement as to the meaning of religion; there was no adequate psychology which could define human reactions in such a way as to give a common, comprehensible religious terminology; there was no consensus as to method either of acquiring or of interpreting data; years were wasted in the infancy of the social sciences in seeking for a universal law of religious evolution; finally, there was always the danger of bias in favor of some particular religious ideology or some one historic religion. Yet the hope lives that some trained religious scientist will write a natural history of religion. In spite of its promise, however, this book is not that story of the evolution of religion. Why such a title should have been chosen is a matter for speculation.

Nevertheless the book deserves its welcome. The first thirteen chapters might indeed be a text-book for the study of religious origins. Here are gathered from all over the world materials regarding the objects of worship—stones, hills, trees, plants, animals, heavenly phenomena, the sun, man, ancestors; materials as to the ideas of the soul, the self as soul, sacrifice, ritual, the priest and church. These are extremely valuable materials which by their very multiformity warn the hasty generalizer against any over-simplification in the interpretation of religion on the planet. Or, omitting chapters IX.–XV., the book would be a unit as a study of the origin and development of theology, culminating in the final chapter in an apologia for theism as a religious philosophy. In addition there are two essays on the relation of religion to mythology and to ethics, the latter of which is one of the best chapters in the book.

As usual, the author forces upon his readers an appreciation of the achievements of other religions. This seems to be his main purpose in the chapters on Trinities and in his excellent treatment of the ethical ideals of the Orient.

Dr. Hopkins has elsewhere<sup>1</sup> defined religion as "squaring human life with super-human life". This understanding leads to the arbitrary interpretation of "worship" in the early chapters and throughout to the unnatural and unscientific separation of religion from the economic and social milieu. Religion may also be squaring human life with the entire environment and we shall not have an adequate understanding of religious evolution until religions are treated as the natural products of human reaction to environment in the achievement of a satisfying life. The multiformity of religions results from the same original

<sup>1</sup> *History of Religions*, p. 2.

human nature reacting to diverse environmental problems, dangers, and opportunities. Struggling through the smothering masses of isolated facts which fill these pages, one feels that there is no single law of religious evolution, that each religion is rooted in its own geographic and social milieu and can be understood only in the light of its own development.

A. EUSTACE HAYDON.

*Storia del Commercio.* Per ARTURO SEGRE, Libero Docente nella R. Università di Torino. [Biblioteca dell'Insegnamento Commerciale e Professionale.] Volume I., *Dalle Origini alla Rivoluzione Francese*; volume II., *L'Età Contemporanea (1789-1922)*. Seconda edizione riveduta ed aumentata. (Turin and Genoa: S. Lattes e Co. 1923. Pp. v, 552; iii, 559-1208. 30 lire, 35 lire.)

THE author offers this work as a manual with two objects: a summary of the history of the commerce of the world, and a bibliography of the sources of information for the use of students who wish to pursue the subject further.

Starting in the prehistoric period, the author apportions space, in round numbers of pages, as follows: ancient, 50; medieval, 200; modern, 300; recent (1789-1922), 600. He treats Italian commerce at considerably greater length than that of other countries, as is natural and indeed desirable, for there was a lack of good comprehensive surveys of the subject. The reader will find it less easy to understand and approve the relatively greater prominence given to the other Romance countries above the Germanic. In the modern period the chapter on France is nearly as long as that in which England, Germany, the Scandinavian states, and eastern Europe are treated together. The commerce of England and the British colonies since 1815 receives only about forty pages, the commerce of the United States about thirty. A plan of this kind is apt to give a distorted impression of the relative importance of the various countries in the world's commerce, and the author has not always been on his guard to correct the impression; on page 691, for example, he pictures the money market of France as surpassing in volume that of any other country in the world.

The bibliographical part of the work is that which is likely to prove most useful to American students. Foot-notes accompanying each topic present references in a half a dozen languages, comprising a great variety of sources of information, both original material and secondary authorities, appearing as books, articles in periodicals, and papers in the publications of learned societies. The reviewer misses some good references from the collection, but on the whole surprisingly few, and time and again finds promising titles which are new to him. The section on Dutch East Indian commerce, for example, fails to list such

standard works as De Jonge or M. L. van Deventer, but includes references to diplomatic documents in the Archivio di Stato at Turin; many similar examples could be given.

"Commerce" is a term with many connotations; a history of commerce may be a history of almost anything. The author's conception of his subject may be indicated by a process of exclusion. He subordinates internal to foreign trade. He pays relatively little attention to commercial institutions and organization, to such topics as the guilds in the medieval period, banking and business organization in the modern period. The Industrial Revolution in England is sketched in a couple of pages; the history of the railroad to 1825 is indicated in a foot-note, and the influence of the railroad later is neglected. There is in the whole two volumes but one table of statistics, and this shows the distribution of the costs of the World War among different countries. Statistical data appear in the text from time to time, but generally as absolute figures, lacking the means for a ready comparison of times and places to win a quantitative estimate of the significance of phenomena. These details are enough to show that the author has but little interest in the essence of commerce, the underlying conditions of its development and its relations to other human activities. It is characteristic that among the bibliographical references, so far as the reviewer has noticed, Schmoller receives but a mere mention and Sombart's *Kapitalismus* is not named at all. The author's interest lies not in the essence but in the incidents of commerce, the events related to a particular person or place and date. The pages are sprinkled thickly with proper names; the index, seventy pages long, is composed almost entirely of them. Further, attention is directed to the public rather than the private aspects of commerce. The course of commercial policy is treated at length, without a corresponding treatment of the details of commercial structure and function. The book is like the old-fashioned political histories, which faithfully report those events that were advertised in their time as important, without much regard to the relation of these events to each other and to underlying facts that are neglected because they were so common. In sum, therefore, the reader will find in this book a diligent compilation from good sources, but must look elsewhere for thoughtful constructive work.

CLIVE DAY.

*The Freedom of the Seas in History, Law, and Politics.* By PITMAN B. POTTER, Ph.D., Associate Professor of Political Science in the University of Wisconsin. (New York and London: Longmans, Green, and Company. 1924. Pp. xvi, 299. \$2.50.)

THE author of this admirable little book, as a student of international law, is chiefly interested in the legal aspect of the freedom of the seas, and is indeed inclined to question whether the struggle for

AM. HIST. REV., VOL. XXX.—8.

freedom of trade forms an integral part of the problem. This is a point which might be argued, but there can be no difference of opinion as to the desirability of having this difficult and complicated subject dealt with from every possible angle. Mr. Potter has considered what measure of liberty on the seas men and nations have thought worth securing by law in times past; what measure they had actually secured by 1914; what measure they are likely to retain under existing conditions. An exhaustive bibliography, thorough documentation, a good index, and a lucid method of presentation, enhance the value of his study.

The book grew out of an analysis of the treatises of Grotius and Selden, and the historical part of the work proceeds from an examination of the extensive citations with which in true seventeenth-century style they buttressed their arguments. The conclusion is that the ancient world recognized no definite problem of freedom of the seas as a matter of international law, but possessed familiar understanding of it as a political problem, in the light of sea power as exercised by Athens and later by Rome. Reconciliation between Roman practice and the famous passages in the Justinian code is effected by understanding *jus gentium* here as limited to the Roman world. Whether one accepts this interpretation or not, much of the historical importance of the passages lies in the fact that the wider interpretation, given them in succeeding ages, helped in the development of the concept of maritime freedom. This development is traced in the chapter on the Middle Ages and in the chapter on the great seventeenth-century controversy. The account of the growth on the one hand of claims to dominion over both the open sea and narrow seas, with the controversies that grew out of them, and on the other hand of an accumulation of legal arguments, brings the story of the discussion to 1650. The chapter dealing with the period since that date is a more general one, which indicates the main lines of the controversy to the outbreak of the World War; the partizan nature of much of the modern literature on the subject; and the growing importance in modern times of the question of belligerent right.

A most useful statement of the author's interpretation of the international law of the sea and of territorial waters, as it stood in 1914, is followed by a consideration of the effect of the war on freedom of the seas. Although Mr. Potter is not one of the prophets who firmly predict the disappearance of the painfully built up distinction between combatants and non-combatants, he belongs to the school that believes that modern conditions and modern warfare indicate abandonment of the line of development which sought freedom by progressive restriction of belligerent right. He considers that the Declaration of London restricted that right unduly and that the war demonstrated that a new direction must be taken in the search for freedom of the seas.

The permanent solution he sees "in international organization, in a League of Nations for the definition and preservation of national rights upon the sea". He is under no illusions as to the imminence of this solution and suggests as the immediate step a naval conference to consider problems of territorial waters as well as to revise the laws of naval warfare. His hopefulness of the successful reconciliation of the conflicting interests of continental and maritime states comes from the consideration that at the Washington Conference Great Britain recognized a balance of power on the sea.

LOUISE FARGO BROWN.

*Democracy and Leadership.* By IRVING BABBITT. (Boston and New York: Houghton Mifflin Company. 1924. Pp. vii, 349. \$3.00.)

THIS is certainly a stimulating volume, to be judged here in the light of its meaning for the student of history. The title promises much; it cannot be wondered, therefore, if the reviewer expresses his disappointment over discovering that so little direct attention is given to the two items of the title. In a work that insists upon the fundamental importance of careful definitions, there is not a definition of either "democracy" or "leadership". The text of the volume is logically, even meticulously, developed. There is, however, too much in the way of Socratic dialectic, too much metaphysics, too much lingering over certain philosophies, to satisfy the historian that his feet are on solid ground.

A chapter on types of political thinking not only classifies this field but illustrates and develops the various types by drawing upon the contributions of Plato, Buddha, Confucius, Machiavelli, Hobbes, Locke, etc. Then follows a chapter on Rousseau and the idyllic imagination, a careful analysis which supplies the author with the point of departure for his attack upon the naturalistic trend of the last century. Having found in Rousseau, "the extremist and foe of compromise" (p. 97), the foil for his attacks, he turns to Burke, who, as "a frank champion of aristocracy" (p. 104), attained to "that profound perception of true liberty in which he surpasses perhaps any other political thinker, ancient or modern" (p. 101). If Rousseau is the chief source of the destructive forces that wrought havoc in the French Revolution and threaten destruction to civilization to-day, Burke, with his emphasis upon humility, points the way to safety. Indeed, "the modern political movement may be regarded in its most significant aspect as a battle between the spirit of Rousseau and that of Burke" (p. 115). The equalitarian teachings of Rousseau may not destroy leadership, the author contends, but "produce an inferior and even insane type of leadership, and in any case leadership of a highly imperialistic type" (p. 127). Thus he is able to find their fruits not only in Napoleon but in the im-



perialistic ambitions of present-day republican France, of Bolshevik Russia, even, indeed, in those of America itself. He turns to Asia and its inspired philosophers and finds there, preserving the Far East "from that great disease of Occidental culture—the warfare between reason and faith" (p. 184)—that Burckian humility, with its concomitants, which has been rapidly passing from the Occidental world, leaving it without a moral progress to match its material development. Because of this yielding of traditional standards, humanistic and religious, to naturalism, he urges their restoration by sound leadership, thus not only to prevent the stupidities of a numerical majority but also to remove the danger of the tyranny of the imperialistic superman.

The author sees the opportunity, if not the need, of turning to the pages of history and "of building up from them standards with which to judge the 'aberrations of the hour'" (p. 145–146). He realizes the difficulty of this, however, and in the main subordinates history to metaphysics. For some pages (246 ff.) he does undertake to analyze the forces of leadership in American history. He points to the irrepressible conflict between Washington, Marshall, Webster, and Lincoln, representing traditional standards, true liberalism, and sound leadership, on the one hand, and Jefferson, Jackson, Roosevelt, and Wilson, representing destructive equalitarian democracy and imperialism on the other. To grasp the full import of this conflict gives, he holds, the key that unlocks American history. The reviewer can accept the general proposition without accepting the author's judgment of causal relationships in American history. The objective historical student, moreover, cannot be so ready to pass judgment on right and wrong. Has the leadership of a Jefferson and a Jackson, of a Roosevelt and a Wilson been wrong-headed and destructive? Where should we find a democracy to protect by any kind of leadership, if they and their predecessors had not stridden across the pages of history? Indeed, whence would democratic progress have come? The answer of this volume would be, from a small well-trained minority of leaders who really understood liberty to involve "an inner working with reference to standards, the right subordination, in other words, of man's ordinary will to a higher will" (p. 298). But, would it? Much as we may regret it, history, with its ups and downs, suggests a greater reality in slashing forces than in the tempered poise of the middle-of-the-road philosopher. But, says our author, human nature—which in the main he distrusts as ethically unsound and wrong-headed—has one encouraging trait: it is sensitive to a right example. This, with true leadership, will save democracy!

ARTHUR C. COLE.



*Anatolian Studies presented to Sir William Mitchell Ramsay.*

Edited by W. H. BUCKLER and W. M. CALDER. (Manchester: University Press; London and New York: Longmans, Green, and Company. 1923. Pp. xxxviii, 479. 14 plates and many text-cuts. 35 s.)

THIS imposing volume forms number CLX. of the publications of the University of Manchester. The thirty-two papers included are contributed by scholars of many nationalities—13 British, 7 French and Belgians, 4 Americans, 4 Germans, 3 Austrians, 1 Italian, and 1 Russian. All write in their own tongues except two, S. Reinach and M. Rostovtzeff of the University of Wisconsin, who write in English.

The text is preceded by a 27-page list of the scientific writings of Professor Ramsay from 1879 to 1923, compiled by A. Margaret Ramsay of Lady Margaret Hall, Oxford, who also contributes an article on Examples of Isaurian Art: the Screen in Isaurian Monuments. At the end is also an excellent 21-page index arranged under three heads.

The contributions vary in length from a mere two-page note by S. Reinach on Ignatius, Bishop of Antioch, and the *ἀρχαία*, to extended articles of over thirty pages by M. Rostovtzeff, Notes on the Economic Policy of the Pergamene Kings, and W. M. Calder, the Epigraphy of the Anatolian Heresies. As the title indicates, all these are concerned with Asia Minor and are fittingly inscribed to "the chief pioneer of Asia Minor research". Sir William's predilection for that area of ancient culture is well shown by the facetious remark of one of his friends to the effect that he held a professorship at Aberdeen—he was professor of humanity there from 1886 to 1911—but preferred to reside in Asia Minor! His many travels over Asiatic Turkey extended over the years 1886 to 1914. The range of subjects of these contributions—religion, language, history, geography, epigraphy, numismatics, economics, athletics, art—not only attests the universal character of the volume, but the enormous additions to our knowledge of antiquity in every field made possible by the excavations of recent years in that fascinating land.

Of the American contributors, three—including one of the editors—were members of the staff of the American excavations at Sardis from 1910: H. C. Butler, director at Sardis and also conductor of archaeological expeditions to Syria, who contributes posthumously a paper on the Elevated Columns at Sardis and the Sculptured Pedestals from Ephesus; W. H. Buckler, who writes on Labor Disputes in the Province of Asia; D. M. Robinson, who discusses Two New Epitaphs from Sardis. The fourth, A. T. Olmstead, who writes on the Assyrians in Asia Minor—a preliminary study for his recent *History of Assyria* (1923), was director of the Cornell Expedition to Asia Minor and the Assyro-Babylonian Orient in 1907–1908.

Doubtless the most interesting articles to the general historical reader are those on the linguistics of Asia Minor, an area which Professor Sayce says (p. 396) "was in fact what the Caucasus has been in later times, the meeting-place of a host of unrelated languages". Professor Sayce writes on the Languages of Asia Minor; W. Arkwright on Lycian Epitaphs; J. Fraser on the Lydian Language; and H. R. Hall on the Hittites and Egypt. Dr. Hall speaks of the "extraordinary welter of peoples in Asia Minor, Northern Mesopotamia, and Syria in the period 2000-1400 B.C." Of the languages of the Hittites or their subjects alone Forrer and Hrozny have analyzed eight. Fraser discusses the possibility of classifying with some confidence the Lydian language now that a part of the Lydian inscriptions discovered by the Americans at Sardis has been published. He concludes it was related more or less closely to Etruscan and (p. 149) belonged to the same family as the Caucasian languages, and "at an early period was constantly in contact with such an Indogermanic language as influenced 'Hittite'". He also believes that Lycian contains an Indogermanic element. On the other hand, Sayce believes that Lydian shows no genetic, but only a structural, relationship to either Etruscan or Lycian. Arkwright, while acknowledging that Lycian shows striking resemblances to Indogermanic dialects, finds the differences more striking and numerous. While the prevailing opinion follows Kalinka that it was a mixed language (*cf.* Fraser, p. 145; Cook, *J. H. S.*, XXXVII. 220, etc.), he favors the suggestion of those who connect it with a family distinct from, but akin to, Indogermanic, as a cousin-tongue, though he admits that neither hypothesis can yet be determined.

Hall believes that the Hatti were "probably" known to the Egyptians as far back as the Middle Kingdom (*c.* 2000 B.C.), though the first recorded contact between the two was the sending of tribute to Thutmosis III. (*c.* 1469) by the chiefs of the "Great Kheta". Then, around 1266 B.C., the Hittite king Khattusil made a state visit from his capital at Boghaz-kiöi to Pelusium, bringing his daughter to become the wife of Rameses II. as a seal of the peace made thirteen years before to end the wars between the two monarchs. These relations between the two peoples kept up till about 1200 B.C., when the Hittites were overthrown by invading Phrygians and Mysians from Europe.

Professor Olmstead shows that the Assyrians broke into Asia Minor late. Except that Tiglath Pileser I. received tribute from Milidia (? Melitene on the Upper Euphrates) in 1106 B.C., all Assyrian references to Asia Minor fall between the reigns of Shalmaneser III. (860-825 B.C.) and Assur bani apal (668-626 B.C.), though the "Cappadocian Tablets" show Babylonian influences there date from the third millennium (the Ur Dynasty, 2481-2361 B.C.). Sayce states there was a large Assyro-Babylonian community in eastern Asia Minor with its centre at Kanes by the middle of the third millennium B.C.

Robinson gives examples of the "monologue" and "dialogue" types of epigrams which were found at Sardis in 1913-1914. The more elaborate one (pl. XI.), dating probably from the first century B.C., is important as it gives for the first time definite interpretations of certain symbols which appear on such stelae—in this case lily, book, wreath, and basket. The text shows that the basket here has no cryptic significance, but merely symbolizes housewifely virtues. The writer also believes that this epigram fixes the name of such a basket not as *κάλαθος*, the term generally used by commentators, but as *τάλαρος*. We might add that the north Syrian reliefs (cf. p. 352, n. 1) furnish examples of the mystic use of the basket which appears in conjunction with the eagle as symbols of the soul as immortal. Cumont ("L'Aigle Funéraire", in *Rev. de l'Hist. des Relig.*, reprinted in his *Études Syriennes*, 1917) explained the origin of the eagle, but not of the basket. A passage in Macrobius (I. 17, 66-70), noted by my colleague Professor W. R. Newbold, supplies the explanation. In describing the image of the Sun-god at Hierapolis in Syria, to whose cult these tomb reliefs belong, he says: *calathus aureus surgens in altum monstrat aetheris summam, unde solis creditur esse substantia*. So the basket was not originally, as Cumont thought, a mystic cist, but a food-basket containing the invisible celestial food of the god.

WALTER WOODBURN HYDE.

*Sea Power in Ancient History: the Story of the Navies of Classic Greece and Rome.* By ARTHUR MACCARTNEY SHEPARD. (Boston: Little, Brown, and Company. 1924. Pp. xxx, 286. \$5.00.)

MR. SHEPARD'S volume opens with an introductory section on ancient sea warfare, dealing with the details of ancient war-ships, personnel, discipline, administration, tactics, and strategy. The remainder of the book, some one hundred and eighty pages, takes up in turn the naval history of Greece and Rome. With painstaking care the author has related the story of naval campaigns and naval engagements from the Persian Wars to the battle of Actium (31 B.C.), the results of which conferred upon the Mediterranean the benefits of the *Pax Romana*. The reader who wishes to inform himself about Greek and Roman war-ships, the methods of their employment, and the wars in which they fought, will find most of what he needs in Mr. Shepard's volume, together with citations which will lead him to the sources and the more detailed modern works.

Admiral Mahan, whom Mr. Shepard apparently accepts as his model, spoke of the history of sea power as "embracing in its broad sweep all that tends to make a people great upon the sea or by the sea", and, while he added that it "is largely a military history", he was always careful to relate his military history to the broader facts of

national life underlying it. Mr. Shepard, it seems to me, has not quite risen to this broader conception of naval history—and this despite his own prefatory statement that “taken completely out of its setting, naval history becomes a jejune chronicle, wearisome to narrate and profitless to read”. I do not think that anyone would apply either of these characterizations to Mr. Shepard’s volume; yet it is disappointing in the degree to which it divorces naval history from national life, especially from that vitally related factor, sea trade.

The two most prominent examples of this fault are in the treatment of the Peloponnesian War and the Mithridatic Wars. In his account of the great struggle between Athens and Sparta, Mr. Shepard barely recognizes that Athens, as an industrial state with a population far beyond the capacity of her fields to feed, could live only while she kept open her communications with the great grain areas bordering the Euxine; and that hence she made her last stand on the shores of the Hellespont.

Likewise in his story of the wars of Mithridates against Rome, Mr. Shepard overlooks the commercial significance of this later struggle for the Hellespont and the Bosphorus. The Black Sea, in the first century B.C., was not only still bordered by great wheat-growing districts, but was the converging point of trade routes from the north, the east, and even the southeast. Mithridates’s attack upon the Roman Empire was, at least in part, an effort to seize the single outlet of this lucrative region. Surely such facts as these belong to naval history in the broader sense.

Mr. Shepard’s book would have been improved in these particulars by an acquaintance with such studies as A. E. Zimmern’s *Greek Commonwealth*, Max Ebert’s *Südrussland im Altertum*, and Reinach’s *Mithridate Eupator, Roi de Pont*, none of which appears in his bibliography.

JULIUS W. PRATT.

*The Legacy of the Ancient World.* By W. G. DE BURGH, Professor of Philosophy in University College, Reading. (London: Macdonald and Evans; New York: Macmillan Company. 1924. Pp. xvi, 462. 15 s.)

THERE is no excuse any longer for a lack of knowledge of ancient civilization on the part of the intelligent but uneducated person, or the educated but uninformed individual who desires enlightenment. Formerly such a one had the excuse that he could not read or else had forgotten the necessary ancient languages; or he asserted, with truth, that the introductory manuals were dry and generally unintelligible summaries of mere facts; or, finally, he threw aside, as too erudite, the detailed works written by specialists for scholars. But now this type of reader—and it is to be hoped that he really exists—has been sup-

plied by professors of Greek with volumes on *The Legacy of Greece*, on *Greek Life and Thought*, and Greek literature in translation. Latin scholars have published *The Legacy of Rome* and Hellenists and Latinists are issuing a series on *Our Debt to Greece and Rome*. And now a professor of philosophy—who else would dare?—has compiled a single volume which “is designed as an introduction to the study of ancient civilization for those unacquainted with its history”.

The writer of a book on even a single civilization for the benefit of readers wholly ignorant of the subject is confronted with embarrassing questions of selection from the overwhelming mass of important material and of the relative emphasis to be placed on the topics chosen, and he is fortunate if he can present the innumerable facts that are absolutely necessary in language that will hold the interest of the reader. But the author who chooses *all* ancient history and its influence on the world to-day as the theme for a single volume has unquestioned courage. A novelist writing an *Outline of History* may make his pages racy reading by dwelling at length on the drunkenness of Alexander and the character of Aspasia, but the scholar, even when addressing a popular audience, is handicapped by truth and a sense of proportion!

Anyone interested in a book such as this which Professor de Burgh has written will wish to know first—and this is particularly important in a book of this nature—just what material the author has chosen for treatment and the space given to it, and, secondly, the success of his achievement in the reviewer's opinion.

The topics discussed in the successive chapters are as follows: Introduction; the Early Civilizations of the East—Egypt, Babylonia and Assyria, Crete, Persian Empire; the Religion of Israel; the Rise of Hellenism; the Greatness of Athens; Graeco-Macedonian Culture; the Roman Republic; the Roman Empire; Christianity; the Decline and Fall [of the Roman Empire]; the Legacy in the Middle Age; Conclusion—on Progress, and on the Living Interest of Ancient Civilization. There is a bibliographical appendix and an index.

The author devotes some ninety-two pages to Israel and to Christianity, 104 pages to Greece, and 117 pages to Rome. The reader interested in Egypt may think that the civilization of the Nile, so popular at present, receives scant justice with only seven pages and not even mention of Tutankhamen. But the writer is concerned only “with those ancient peoples who bequeathed a legacy that is a living power at the present day and these peoples are but three—the Hebrew, the Greek, and the Roman”.

The specialist will find flaws. For example, in the discussion of Greek civilization the statements relative to Homer (p. 89) need qualification. Most scholars deny the existence of a stage in the Greek theatre (p. 122). The naïve assertion is repeated (p. 123) that the masks of the actors were fitted with speaking-tubes. The majority of scholars now assign nineteen, and not eighteen, plays to Euripides.

The statement (p. 123) relative to the production of plays needs re-writing with greater accuracy. Infanticide was not prevalent (p. 151) in Athens of the Periclean Age, etc. These are minor blemishes.

The author was guilty of a serious error of judgment, in my opinion, in restricting his discussion of the Hellenic legacy to science and philosophy, and ignoring art and poetry. An unconvincing defense of these sins of omission is made in the preface: "I confess to a deep mistrust of talk *about* art and poetry addressed to those who are unacquainted with the originals. . . . As regards Greek art, let the beginner visit the Elgin room and the galleries of our national museum." But the reader of this book supposedly will be ignorant of all originals about which the author freely talks, and to comparatively few readers will the British Museum be readily accessible, and even to these the heritage of Greek art will not be appreciated without guidance. The author further says (p. 9): "We must select, from the wealth of available material, those features in the life of the Hebrews, Greeks, and Romans which impressed themselves most markedly on after-times. . . . Thus we shall concentrate attention on . . . the science and philosophy of Greece." But is not the art and literature of the Greeks a legacy of greater worth to the world to-day than their science and philosophy?

The book suffers from a plethora of foot-notes; perhaps this is a matter of taste, but in a book intended for the general reader it seems preferable to incorporate germane remarks in the text and to banish references to sources, etc., to an appendix.

Professor de Burgh has produced a book that is sound in its essentials. In general it is readable and lucid, although some sentences are too packed with facts and hence lacking in clearness. As might be expected the writer is most at home in the discussion of philosophical topics. The inclusion of a chapter on the Legacy in the Middle Age is to be commended.

LARUE VAN HOOK.

*L'Art en Grèce.* Par A. DE RIDDER, Conservateur au Musée du Louvre, et W. DEONNA, Professeur à l'Université et Directeur du Musée d'Art et d'Histoire de Genève. [*L'Évolution de l'Humanité*, ed. H. Berr, no. 12.] (Paris: La Renaissance du Livre. 1924. Pp. xxviii, 430; 23 plates, 66 figures in the text. 20 fr.)

THIS book is no. 12 of the first section—devoted to prehistory, proto-history, and antiquity—of the 26 volumes projected for the extended series on the Evolution of Humanity, under the general editorship of Henri Berr. Six of these volumes are to be devoted to Greece, of which three have already appeared, and five to Rome. Dr. de Ridder contributes the introduction (43 pp.), and Dr. Deonna the bulk of the work

(360 pp.). It is not a detailed history of Greek art in any sense, nor a philosophy of the subject. It is rather a profound investigation into what art meant to the Greeks, and an attempt to understand its distinctive character. For, as Deonna says, it is not sufficient, in order to comprehend Greek art, merely to study its works and receive from them an aesthetic emotion. To justify our admiration for such work we must be acquainted with all the spiritual and material needs which incited the Greek artist to create, with the character and background of the artist, and with the means by which he gradually overcame difficulties and realized his ideal.

The work, subdivided into many chapters, falls into four main divisions. In the first (9 chs.) the relation of Greek art to the city-state is analyzed. As art is a social phenomenon, Greek art is the clear reflection of the city-state—its political aspirations, religious beliefs, customs, social ranks—in one word its glorification. Part II. (7 chs.) treats of the agents by which Greek art was realized—individual artists and groups. The Greek artists differed in ethnic origin, in local school traditions, and in their own personalities, and it is these divergent elements which explain the various aspects of their art. The third part (6 chs.) discusses the various technical problems to be solved in the realization of the Greek artistic ideal. The artist fixes the *genres*, forms, types, themes; in other words he determines the molds into which he pours his plastic ideals. The branches of art, the materials used, and especially in sculpture and painting the poses, anatomy, drapery, harmony, rhythm, proportions, and perspective, are all analyzed. The last part (7 chs.) treats of the aspects of the Greek ideal and its evolution, especially from the middle of the fifth century B.C. onwards to its decline.

A brief discussion (3 chs.) evaluates Greek art in the history of culture—what it owed first to the civilizations which preceded it or to those which influenced it throughout its course, how it reacted to such influences, and, in turn, what the ancient and modern world have owed to it. For the law of Greek as of all art was first to receive, then to adapt to its temperament, and lastly to give itself to others. Although the Greek artists received much, they never servilely copied, but, as Plato said, transformed and made new creations out of everything which the Orient gave them. The influence of Greek art on the world at large began with the commercial relations established by the Greek colonies. This influence extended from the Sea of Azov on the north to Egypt on the south, from Carthage and Gaul on the west to India and China on the east. To-day all European art is the direct inheritance from Greece, as the Greek spirit once more, especially since the end of the eighteenth century, rules our aesthetic sense.

A bibliography of 224 books and articles on the various branches and phases of Greek art follows. The great latter-day interest in the subject is shown by the fact that fifty-nine of these, or nearly one-



fourth of the entire number, have appeared in the five-year period since the war (1919-1923).

On the whole the French scholars have given us a delightful and penetrating account of the importance to culture of Greek art.

WALTER WOODBURN HYDE.

*The Hellenistic Age: Aspects of Hellenistic Civilization.* Treated by J. B. BURY, Regius Professor of Modern History in the University of Cambridge; E. A. BARBER, Sub-Rector of Exeter College, Oxford; EDWYN BEVAN, D.Litt., LL.D.; and W. W. TARN. (Cambridge: University Press. 1923. Pp. ix, 151. 6 s.)

HELLENISTIC AGE means for the authors of this little book the period from Alexander to the definite intervention of the Romans in the East. That accords with the usage of Droysen, but not, for example, with the usage of Wilamowitz, who, like most others, understands by *Hellenistic* the Greek world from Alexander to Augustus. There is much to commend the abstraction of the briefer period for the analysis and appreciation it here receives at the hands of Professor Bury and the triumvirate of specialists for whose contributions he furnishes a general historical setting. The century that immediately follows the Roman conquest is in fact so different in worth and achievement from that which immediately precedes it that little can be said of the one which is true of the other. None the less, the title suggests a good deal more than the book contains.

It is of work done in physical and natural science (we presume) that Professor Bury is thinking when on page 16 he says that the Hellenistic Age "came to an end without having made any absolutely decisive advance or any momentous break with the past. It had its Copernicus; it had an explorer who has been compared to Columbus; but neither of them moved the world". For he has well pointed out in another place (*cf.* pp. 29 ff.) that in political theory the work of this age *does* represent a most momentous break with the past, and we have the best of authority for the view that the most violent breach in the continuity of political thinking of which we have record occurred in the interval between Aristotle and Cicero.

Mr. Barber discourses with welcome disproportion regarding popular literature—mime and diatribe—with its new realistic spirit, and cursorily regarding Theocritus, Herodas, and Leonidas, who (he observes) handled popular themes according to the principles of Alexandrian art. His main thesis is that the distinctiveness of Hellenistic poetry consists not so much in its being "learned" and over-polished as in its deviation from the beaten path of national traditions to find in local legends a combination of mythological and historical elements "waiting to be touched into poetry". The nature of the themes they

selected impelled Callimachus and his fellows to introduce into Greek poetry "romantic and erotic motives which had not hitherto been given adequate presentment"; but, in the opinion of Mr. Barber, the Alexandrians bungled in their great task from the plain fact that they "had little heart and all the cleverness in the world could not compensate for this deficiency".

Dr. Bevan, in language of singular felicity, describes the spirit of the age as what is common to the various popular philosophies rather than as what is peculiar to each, and shows how Stoics, Cynics, and Epicureans alike sought to escape from the tyranny of Tyche by substituting the self-sufficiency of the individual for the self-sufficiency of the *polis*, which in that age of princes and confusion could no longer be upheld.

The book concludes with its most original chapter—a skillful attempt on the part of Mr. Tarn to prove by statistics that the age was one of rising prices and diminishing wages and to descry a thence ensuing, ever present, menace of social revolution. This seems to the reviewer unduly to simplify the problem. While bringing out what is Hellenistic all the authors are constantly mindful to distinguish it from what is Hellenic; and indeed there is no better way of understanding the classic period of Greece than by appreciating justly the period which follows it. Hence their book should be read particularly by those whose interest is in great rather than in "greater" Greece.

W. S. FERGUSON.

#### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Histoire de Russie (Étude Comparée entre l'Orient et l'Occident).*

Par MARC SEMENOFF. Préface de LOUIS RÉAU, Ancien Directeur de l'Institut Français de Petrograd. (Paris: La Renaissance du Livre. 1924. Pp. 405. 30 fr.)

IN his preface Professor Réau points out that Semenoff's history and Rambaud's are quite unlike because the two men view things from different angles. Rambaud is chiefly interested in facts, while Semenoff cares not so much for the facts themselves as for the "manifestations successives de l'âme slave au cours des siècles". He tells us also that Semenoff

est Russe par ses origines tout en étant Français d'adoption. . . . À son amour filial pour la Russie M. Semenoff joint la plus sincère admiration pour la France, sa patrie adoptive. . . . Son histoire de Russie est en réalité une étude comparative de deux civilisations qu'il oppose l'une à l'autre: le monde slave, dominé par la Russie, et le monde occidental ou européen dont la France est le représentant par excellence. Au travers le livre se déroule comme un "fil rouge" ce parallèle constant et systématique entre l'histoire de Russie et l'histoire de l'Occident.

France and Russia have a common enemy: "le germanisme". The book was written during the war (1916-1917), "qui donne à ces pages une chaleur d'accent qu'on n'est pas accoutumé à trouver dans les ouvrages de ce genre".

The above remarks give an idea of the character of the book. It may be possible to make "une étude comparative de deux civilisations qu'il oppose l'une à l'autre", but anyone undertaking such a task must have a sound knowledge of the social sciences. There is nothing in this book to indicate that the author has done more than study the ordinary manuals on European and Russian history and civilization. Instead of a "comparative study" we have a hodgepodge of facts, reflections, and generalities. M. Semenoff uses terms the significance of which he does not understand, and consequently makes shocking blunders and meaningless statements. Charlemagne, he says, tried to put an end to private warfare but failed: "Comment les suzerains auraient-ils obéi à un roi, lui-même vassal d'un noble plus puissant?" His ignorance of English history is pathetic. After discussing the Great Charter and the clause relating to the trial by peers he comments: "Cette dernière mesure consacrait la liberté individuelle: '*habeas corpus*', chacun est maître de son corps." James I. was "inintelligent, maladroit, Catholique intransigeant". As to the American Revolution, "Le roi ayant refusé de souscrire à la célèbre 'Déclaration des Droits' la lutte armée commença (1775)."

His knowledge of Russian history and institutions is equally weak. In the twelfth century Russia, though primitive and "non unifié politiquement", was "la plus grande démocratie de tous les temps". Peter is put in the class with Confucius and Solomon, and his harsh measures were "la soumission à la loi du perfectionnement de l'individualité".

The last part of the book is devoted to a study of "Le Destin Russe", according to the Slavophile doctrine. Moscow is by turns "the Third Rome" and "the Second Jerusalem". Russia "équilibrée pourra contribuer selon sa loi mystique, au développement moral, spirituel de la culture humaine".

As a historical work the book has little value.

F. A. GOLDER.

*History of England and the British Commonwealth.* By LAURENCE M. LARSON, Professor of History in the University of Illinois. [American Historical Series, Charles H. Haskins, General Editor.] (New York: Henry Holt and Company. 1924. Pp. ix, 911. \$5.50.)

THIS volume is designed to meet the needs of readers who seek a broad survey of the subject. Indeed, the author seems to have written particularly for the American student "in a course of general English history" (pp. v, vi). Consequently its merits depend not upon the dis-

coveries contributed by the original research of the author but upon the new viewpoints and the fresh perspective developed by his reorganization of old materials.

In the selection of facts from the vast number of those available the author is generally happy in his omissions. The political narrative, which often fills so many dreary pages in books of this type, is properly subordinated. Possibly the process is carried a bit too far in places in the earlier sections, but such instances are exceptional, and they become fewer as the narrative proceeds towards modern times. The author's conscious effort to keep the narrative free from burdensome details is also reasonably successful. Here, again, the success is decidedly more marked in the portion dealing with the period after 1689, largely because the earlier section is so much more condensed.

The style of the narrative is generally plain and straightforward. Usually, too, the presentation is clear. Occasionally a paragraph is a bit jumbled, and sometimes the exigencies of chronology lead to abrupt transitions from one topic to another and back again, producing piecemeal effects confusing to the thought. More rarely the demands of topical organization raise perplexities. The division of the internal affairs of the reign of Edward I. between two chapters on unrelated subjects is a case in point. In the main, however, the issue between topical and chronological treatment is happily met. The balance between the statement of facts and their interpretation is not struck quite as fairly. In the medieval part the amount of interpretation is distinctly less in proportion to the amount of assertion than it is in the modern. As a consequence the style is dry in the former section, but arouses and holds the reader's attention in the latter.

Accuracy in such a work is probably beyond the reach of human attainment, but Professor Larson upholds a high standard. Aside from a remarkably small number of typographical errors, the few mistakes which the reviewer happens to have noted are mainly in the form of statements rendered more positively than the evidence seems to warrant. The assertion that a legate in 1240 demanded payment by English churches and monasteries of a fifth of their incomes to the Roman curia (p. 126), for example, needs qualification. Nor can the Statute of Marlborough be said to be a reproduction of the substance of the Provisions of Oxford (p. 131).

The distribution of emphasis among the various aspects of English history seems to be well balanced, with one notable exception. The contraction of the political narrative leaves room for more extensive treatment of other phases of the subject, and economic, social, and intellectual developments benefit thereby; but the constitutional field, where the English have made one of their greatest contributions to civilization, receives attention relatively scant in proportion to its importance. It is in the apportionment of relative values to the several periods, however,

that the book is most disappointing. These may be measured approximately in terms of space. The period before 1485 occupies only 27 per cent. of the space; the period since the revolution of 1688 is allotted 47 per cent.; while the last decade receives as much as the whole Tudor period or as the centuries intervening between the men of the river-drift and Henry II. This distribution may appeal to that growing historical school which appears to regard whatever happened yesterday as more important than anything which occurred the day before yesterday, but when it is applied to the history of a people whose civilization has developed with such continuity that their contemporary institutions often have their roots buried deep in a remote past, it seems to the reviewer nothing less than distortion.

W. E. LUNT.

*The Constitutional History of Scotland from Early Times to the Reformation.* By JAMES MACKINNON, Regius Professor of Ecclesiastical History in the University of Edinburgh, assisted by JAMES A. R. MACKINNON, University of Edinburgh. (London and New York: Longmans, Green, and Company. 1924. Pp. vii, 351. 16 s.)

SCOTLAND before the Union produced no constitutional parliament comparable with England's and no absolute monarchy like that of France. Her kings continued to the very end of the period to be, on the whole, both irresponsible and weak: irresponsible, because there was no Scottish parliament sufficiently representative of the nation to exact responsibility; weak, because they had never been able to curb feudal decentralization and thus to turn it into constitutionalism as in England or into royal absolutism as later in France. Scotland in fact was always in much the same constitutional condition as England was for the twenty years of Edward II.'s reign. Parliament continued and was frequently summoned as in England, but it neither developed independent strength nor became truly representative of the nation. It seldom did more than register the will of a powerful faction of the nobility, or of an occasional strong king, or of both in combination.

These characteristics have made the study of Scottish constitutional history a difficult and obscure subject to which few investigators have been attracted. And the difficulty and obscurity are increased by the fact that Scotland is one of the poorest countries in Europe in the surviving written records of its earlier history. The earliest serious investigators of the subject, Boece, Major, Buchanan, Sir John Skene, and others, with England before their eyes, were prone to read into the history of Scotland a constitutionalism far more developed than the actual evidence would seem to warrant, and this has been carried even further by more modern writers such as George Ridpath in the eighteenth century or Burton and Innes in the nineteenth. But the inevitable reaction

against this view came for Scottish as it did for English history about the beginning of the present century. In 1901 Professor Rait published his brilliant little book on the early Scottish parliament in which he maintained the general thesis that medieval Scotland really developed no constitutional institutions worthy the name. "Not only does Scotland fail"—he is speaking particularly of the important years between 1437 and 1513—"to produce a constitutional movement like that which characterizes the history of England; she does not develop any kind of constitution at all." The mistakes of his predecessors in reading into these years a development not unlike England's Professor Rait regards as due to the fact that, though constitutional terms and phrases borrowed from England are found all through the Scottish public records of the period, "they possess no real significance". The terms were never really naturalized and the facts do not correspond.

Professor Mackinnon's book is in mild reaction against this view. He admits that there is much in the history of Scotland to justify the impression that the Parliament was "the creature of circumstances rather than the conscious agent of parliamentary government or the protagonist of a definite constitutional theory", but he answers by citing the subserviency of the English Parliament in registering the rapid and revolutionary ecclesiastical changes demanded by the Tudor sovereigns in proof that Scotland in that period was not so far behind her southern neighbor as some recent historians have maintained. When, however, he comes to a description of such an institution as the Lords of the Articles, to which the Scottish Parliament regularly handed over all its deliberations, one is impressed with the vast difference between this and the procedure of even the most docile of English parliaments.

The book is divided into three sections: the early Celtic period, before the eleventh century; the early feudal period, from the eleventh century to the war of independence; and the period from independence to the Reformation. There are practically no records for the first of these periods except the tales of the old chronicles which Professor Mackinnon rightly dismisses as mythical. His method, therefore, is to assume that Celtic Scotland is roughly identical in institutions with Wales and Ireland, and to describe it by giving a rapid summary of the ancient laws of Wales and the *Senchus Mor*, to which is added some "evidence of the Ancient Anglo-Saxon Laws in relation to North Britain". The value of all this for Scotland is problematical for everything beyond the most general outlines, and it might have been omitted from the book without serious loss.

For the next period there is little more authentic historical material than for the first. Here Professor Mackinnon draws on the general character of the kingship, of the central assemblies, and of the Church, as these appear in most Western nations at this time. With so little Scottish material available, the value of these conclusions must again



depend upon the correctness of the assumption that Scotland was essentially like countries whose records have been better preserved, an assumption more reasonable on the whole for the feudal institutions of this period than for the more primitive ones of the earlier.

But Scottish constitutional development, in so far as it was really Scottish and really constitutional, hardly goes back beyond Professor Mackinnon's last period, the one following the war of independence. For this period the author discusses in turn the kingship, the administrative system, Parliament, the burghs, and the constitution of the Church.

It is the most valuable part of the book, and it presents a comprehensive and useful description of the institutions of the time. The chapters on the kingship—by far the longest—have a tendency to become a mere political history, but the chapter on Parliament is probably the best in the book. Among Scottish institutions none are more important or interesting than the burghs and they are at last beginning to attract some of the interest they deserve, but Professor Mackinnon's short chapter on them is rather disappointing and leaves unanswered and unattempted many of the most important questions in regard to them. The same in general may be said of the rather perfunctory concluding chapter on the Church, which even with all allowances for brevity suffers somewhat by a comparison with Bishop Dowden's *Medieval Church in Scotland*.

As a whole, the book furnishes a useful compendium of established facts in regard to the development of the Scottish constitution before the Reformation. It does little more. It may have been intended to do no more. Certainly no other single modern volume does as much.

C. H. McILWAIN.

*A History of France from the Death of Louis XI.* By JOHN S. C. BRIDGE. Volume II. *Reign of Charles VIII., 1493-1498.* (Oxford: Clarendon Press; New York: Oxford University Press. 1924. Pp. xvi, 356. 16 s.)

THE hopes for a literary history of France aroused by the first volume of this work (reviewed in this journal, XXVII. 816) are fully sustained by this present book, in which the author exhibits the same dramatic quality, the same eye for personalities and apt quotations, as before. In the vivid picture of Charles VIII., with which it opens, one finds reminders of the English historians of the Victorian period; elsewhere there appear stylistic mannerisms suggestive of classic Latin prose; while throughout there is a racy modernism of vocabulary and expression reminiscent, now and then, of the recent war, sometimes slightly flippant, occasionally almost bordering on slang. The result is a narrative of the Italian expedition which is at times brilliant and is always entertaining.

The reader gets the impression that the basis of this narrative is to be found, to a considerable extent, in the scholarly monographs of Dela-



borde, La Pilorgerie, and Segre, much enlivened by choice selection from the documentary collections of Pélacier (*Lettres de Charles VIII.*), Canestrini et Desjardins, and Kervyn de Lettenhove, and vivified by long quotations or skillful adaptations from such lively contemporaries as Paolo Giovio, Marino Sanuto, Guicciardini, and, above all, Commynes. In fact the latter is entitled to some of the credit for the entertaining quality of the book. Indeed the frequency with which the author quotes might excite criticism were it not for the fact that the selection is always good, the translation in general conformity with the author's own style, and the printing uniform, so that the casual reader will often be unconscious of quotation. When a controversial question is encountered, Mr. Bridge seems indisposed to reach conclusions of his own, but is rather inclined to accept the findings of the latest and supposedly most reliable scholarly authority, indicating perhaps the uncertainties of the problem. We find him, therefore, agreeing with the scholars who acquit Ludovico il Moro of poisoning his nephew, commenting at some length on the opinions, published in 1908, of Mr. Hutchinson and Iwan Bloch on the importation of "Le Mal de Naples" from America, and summarizing sympathetically the refutation of L. G. Pélissier's thesis that the Italian adventure was the natural and justifiable outcome of French policy since Philip IV. On the cause of Charles VIII.'s death he avoids commitment. It is only in regard to Marshal Gié at Fornovo that the author seems willing to advance his own opinion, which is one of approval for the marshal's caution in holding his forces together instead of engaging in hot pursuit.

The book is about evenly divided between diplomacy and military affairs. Of the former Ludovico il Moro is the central figure, and we get here an exceedingly interesting picture of Italian diplomacy just at the moment when its standards and methods were being extended into the wider, European field. The chapter on the French army is a very useful summary of a highly important phase of military history. Although the subject does not lend itself with the same readiness to the author's literary peculiarities, it is to be hoped that he will present a similar summary of the Spanish military system in an early volume. The account of military operations, culminating in a chapter on the battle of Fornovo, is both detailed and clear, but it would have been much improved by a map of Italy as well as one of the battle-field. If the author is thus disposed to devote himself to this extent to military history we can expect, in the succeeding volumes, that thorough study of the genius and achievements of Gonsalvo de Cordova now lacking in English. We await those volumes with real interest.

RICHARD A. NEWHALL.

*Erasmus.* By J. HUIZINGA, Professor of History in the University of Leyden. [Great Hollanders, edited by Edward W. Bok.] (New York and London: Charles Scribner's Sons. 1924. Pp. xiii, 276. \$1.50.)

THIS study of Erasmus forms the initial volume in what is to be called the *Great Hollanders* series, edited by Mr. Edward W. Bok. The appearance of this series at the present time is explained by the editor as the result of a newly awakened interest in this country for all that belongs to Holland: her noble history, her share in the founding of the American Commonwealth, and her present importance as a member of the family of nations. The choice of Erasmus as the first subject is accounted for in a brief conventional introduction, also by the editor.

That Erasmus was a Hollander by the accident of birth and "great", if judged by any reasonable standard, is beyond a doubt; but to speak of him as a national figure would be a perversion of terms. If the words "citizen of the world" could ever be applied to anyone, Erasmus was that man. He says of himself that he hardly knew whether to call himself a German or a Frenchman. From the time when he became free to choose his residence he lived anywhere rather than in Holland, and one would search his voluminous writings in vain for expressions of loyalty towards the country of his birth—or toward any other for that matter.

Professor Huizinga makes no claim to originality in his treatment of his great fellow-countryman nor to such research as might have made his work a contribution to our knowledge. He frankly admits his special obligation to Mr. P. S. Allen and inscribes his volume to him and to Mrs. Allen in a very pretty dedicatory note. One phrase of this dedication may serve as text for some comment on the author's judgment of his subject. He deprecates the necessity of taking a less favorable view of Erasmus's character than that of the learned editor of the *Epistles*. He accounts for this by the greater familiarity of the English scholar with their common theme, but we may, perhaps, be permitted to doubt whether this explanation is correct. From some experience of our own we incline to think that the longer one spends in Erasmian studies the less amiable the personality of the man appears. It is true that constant association with him may tend to give an Erasmian cast to one's own mind and thus to create a certain sympathy with the backing and filling, the balancing of motives, the making and breaking of friendships, the evasion of responsibility for his own utterances, which have puzzled every student who has approached the topic with a critical, and not merely with a receptive, mind.

Professor Huizinga's method is to present both aspects of every problem and then to summarize his conclusions so that his own view becomes fairly evident. For the main lines of the narrative he accepts the conventional story as given or hinted at by Erasmus himself. He seems to take

most of the statements of motive at their face value, but shows in his summings up that he has his doubts after all. He does not quite say, what we believe to be the plain truth, that no statement of Erasmus about himself is to be accepted without question, but he does show that he has had to trim and balance a good deal in order to preserve the proper degree of respect required by the scheme of the series which he has been selected to introduce.

The book is pleasant reading and will be a sufficiently safe guide to further study. The translation, so far as one can judge without seeing the original, is well done. Occasional slips, as "complexity" for *complex*, "insaturation", "Hohenzoller", "correlates", seem to betray the foreigner who has learned his English, albeit extremely well.

E. EMERTON.

*Histoire de la Nation Française.* Dirigée par GABRIEL HANOTAUX de l'Académie Française. Tome IV., *Histoire Politique*, volume II., *De 1515 à 1804.* Par LOUIS MADELIN. (Paris: Plon-Nourrit et Cie. 1924. Pp. 590. Unbound, 48 fr.)

"THE long drama of the throne and the nation"—it is thus that M. Madelin conceives the political history of France, and as a kind of fifth act in that drama that he treats the period covered by the volume before us, a period ushered in by "the first of the absolute kings", and culminating in the "advent of Caesar" and the establishment of the Empire.

The hero of the drama is the Monarchy. For ten centuries the Monarchy is, paradoxically, at once the centre and the goal of the whole political effort of France. If her kings made France, as we have often been told, it is equally true, in a deeper sense truer, that France made her kingship, conceived it in her own likeness, the likeness of order, and cherished and exalted it as the symbol of her unity and the guaranty of her security and peace. Over and over again M. Madelin asserts it: the Monarchy was not a usurpation, but the legitimate offspring of the political genius of France; not a despotism, not even when most arbitrary, but a government by consent, the consent of a people who, as by an inexorable law of their own nature, demanded order, and looked to their kings to establish and maintain it.

So tenacious was this instinct that not even the Revolution could uproot it. Indeed, the Revolution itself originated in an imperious demand for strength and energy in government, for order in the state; and in the end issued, not in catastrophe, but in an amazing consummation (*un prodigieux achèvement*), the fulfilment at last of the supreme desire of France, unity under authority. Napoleon did not impose himself upon France. "All through the Revolution France had been seeking a man", and, in submitting to him when he appeared, she did not renounce her right; she claimed her right, to peace and order.

And this instinct M. Madelin apparently approves. His admiration is all for the strong men, the authoritarians, the *rulers*. In his France of the Old Régime there seems to be no admissible alternative to the monarchical theory and "strong government". He has little sympathy with the aspiration to freedom from control, and no regret for lost causes. Perhaps it is true that strong monarchy served France well; but to one brought up in another tradition it would seem as if it might have been somewhat less rigid, and have fallen somewhat short of the perfect "symmetry" which it regarded as its crowning achievement, without having either failed in its mission or imperilled the unity or safety of France. Certainly, with other examples before us, we can hardly help indulging the speculation, what would have happened, had Estates-General been regularly convened, had *Parlement* established its right of remonstrance, had courts resisted royal encroachment, had local authority been accorded real competence, had nonconformity been tolerated. No one knows, of course; but it seems safe to conjecture that, at least, the eighteenth century would have been different; and it could hardly have been worse.

But whatever may be thought about M. Madelin's thesis, there can be no two opinions about his art. His literary mode is the dramatic. An historical period is to him, not a mere interval between two dates, a congeries of events, but a unity, something integral and organic; and thus he represents it, producing with consummate skill, out of elements most diverse and heterogeneous, a synthesis, comprehensive, adequate, perfectly proportioned. His stage is never congested; the plot is never obscure; the action never lags. His style is fluent, luminous, vivid. Master of symbolism, he never wants for the pregnant word. Think of a whole reign packed into a metaphor: Louis XV. "gangrened the monarchy"! In a trope like that there's the quality of the ultimate! One of the most brilliant exhibitions of his technique is his delineation of the France of the middle of the eighteenth century, stroke upon stroke, with fascinating dexterity and swiftness, each stroke nicely calculated and correct, not a stroke too many, and yet not one essential trait slighted, nor any exaggerated. It is literary workmanship at its finest, with that precision of touch, that intuitive sense of form and proportion, that just economy and restraint, that perfect control of medium, which makes French style the glory and the envy of the craft.

THEODORE COLLIER.

*Geschichte der Päpste seit dem Ausgang des Mittelalters.* Von LUDWIG Freiherrn VON PASTOR. Band IX. *Gregor XIII., 1572-1585.* (Freiburg-im-Breisgau: Herder. 1923. Pp. xlv, 933.)

POPE GREGORY XIII., thinks Pastor, has been much underrated. It was his misfortune to follow a saint like Pius V. and to precede a fas-

cinating personality like Sixtus V. Even Protestant historians such as Ranke were influenced by the prevailing impression and failed to rate him at his true worth. But in these last years the opening of the papal archives brought a flood of fresh evidence, and now historians of every school are coming to recognize his high abilities.

True, he did not, like his successor, quell banditry in the Papal States, and this has too often been made the criterion of his efficiency; but banditry was an evil so rooted in the society and the party life of Italy that only time and common action could bring relief. Gregory's best title to greatness lies in his management of ecclesiastical affairs in the world at large. Even more than with Pius V. the tale of his biographer takes on an epic breadth. The things we still know as Gregorian—the better calendar now used by all the Christian world, the great central Jesuit university at Rome—were but the least of his achievements. To him more than to any other—to him and to the religious orders, Jesuit, Capuchin, Oratorian, which he so fostered and so ably used—belong the swelling phrases of Macaulay's classic essay on the Catholic restoration. Despite his efforts Britain, France, the Netherlands remained indeed in schism or in civil war, and the caesaropapism of Spain was, in Pastor's eyes at least, scarcely less disquieting; but in Germany (to which is given more than a quarter of this volume), in Poland, Russia, Scandinavia, in the Orient, and the new world beyond the sea, the policy of Gregory reaped rich results.

Personally it is almost impossible not to like the sane and sturdy old administrator. A jurist and a teacher of law, he was nearing middle life when at Rome he entered the service of the Church, and in her judicial and diplomatic tasks he had a wide experience before at seventy he was made pope. "Gregory XIII. possessed", says Pastor, "all the needed qualities: tireless love of work, breadth of action, world-wide vision, far-sightedness, steadiness, surpassing talent for organization, and a fine sense for the real forces of the world. In the ability to adapt himself to these, as in his shrewd and cautious attitude toward the princes, he excelled Pius V. as much as did Pius IV. his Carafa predecessor." How independent was his judgment, despite the admitted influence of such advisers as Carlo Borromeo and Cardinal Galli, is amply shown. His sanity seemed contagious, and something may be due it for the fairness with which his biographer now discerns at least the political abilities of the Church's foes—of Burghley and Elizabeth, William of Orange and Henry of Navarre. Even Catharine de' Medici becomes intelligible. To her, as do most students now, Pastor imputes the St. Bartholomew—but as improvisation, not as studied plot. That the pope in any wise connived at it or knew of it beforehand is shown improbable. The *Te Deum* and the medal need just now less explanation to readers who have observed for themselves how the passions of war may gild the acts of an ally or forbid too close a scrutiny. Relentless and unscrupulous enough, indeed, was even Pope

Gregory—Arnold Meyer has pointed out that he alone of the popes of that age clearly approved assassination when used in the Church's service. That this was only in the case of an excommunicated usurper or that it has Biblical precedent and was strictly in accord with the canon law will hardly exculpate him to non-Catholic critics; but Pastor is undoubtedly right in holding that to the same question his predecessor or his successor would have given the same answer under the same circumstances. Whatever the loyalty of Gregory XIII. to the stern traditions of his faith and of his office, the Inquisition falls with him into a secondary rôle and the bigot gives place to the ecclesiastical statesman.

GEORGE L. BURR.

*Die Grosse Politik der Europäischen Kabinette, 1871-1914: Sammlung der Diplomatischen Akten des Auswärtigen Amtes . . .* herausgegeben von JOHANNES LEPSIUS, ALBRECHT MENDELSSOHN BARTHOLDY, und FRIEDRICH THIMME. Volumes VII. to XII. (XII. in two parts.) (Berlin: Deutsche Verlagsgesellschaft für Politik und Geschichte. 1923. Pp. xi, 458; 475; 425; 259; 387; 700.)

*Die Diplomatischen Akten des Auswärtigen Amtes, 1871-1914: ein Wegweiser durch das grosse Aktenwerk der Deutschen Regierung.* Von BERNHARD SCHWERTFEGER. Erster Teil. *Die Bismarck-Epoche, 1871-1890 (Band I.-VI.)* (Berlin: Deutsche Verlagsgesellschaft für Politik und Geschichte. 1923. Pp. xvi, 430.)

WITHIN eighteen months of the publication of the first six-volume installment of German diplomatic *secretissima*, the energetic editors have issued a second six-volume series covering "the New Course", 1890-1897. It includes, in certain connections, some documents for years as late as 1904 and cross-references to chapters in future volumes, showing that the editors are already forging ahead with their task. In fact they confidently hope to publish next spring a third six-volume series (1897-1904), and by next July the concluding ten volumes for the decade, 1904-1914. If one includes the *Kautsky Documents*, this will make thirty-five volumes within six years! Such is Germany's unique, self-confident, and valuable contribution to the question of the infinitely complicated problem of the responsibility of the war.

The general character of the documentary publication has already been indicated in connection with the review of the first six volumes (*Am. Hist. Rev.*, XXVIII. 543-548). The opinion there expressed, that the editors are honestly trying to select and publish all the important documents bearing on the main currents of German foreign policy and have no desire to conceal anything essential, seems to be



equally true for the documents of the Caprivi and Hohenlohe period. They want to lay bare the whole truth in order to furnish the basis for a correct and just appreciation of Germany's part in European politics, in the hope that it will have a healing and conciliatory influence in the future. They generously offer to furnish to any scholar the full text of any document which, for lack of room, importance, or arrangement by chapters, has had to be curtailed. Americans and Englishmen who have availed themselves of the offer are said to be wholly satisfied with the honesty and trustworthiness of the editing. In the case of a portion omitted from a document of 1887, it was found on investigation that the omitted part actually emphasized still further Bismarck's desire for peace in this critical year.

The non-renewal of the Reinsurance Treaty with Russia, of which Goriainov had already indicated the main outline from the Russian side (*Am. Hist. Rev.*, XXIII. 340 ff.), can now be followed more accurately and in minute detail from the German side (VII. 8-49). The first step for the renewal was being taken by Russia just at the moment Bismarck fell. The Kaiser, like his discarded pilot, was at first in favor of the renewal; to the Russian ambassador he said on March 21, "Rien ne sera changé dans nos relations; la politique, que le chancelier a faite, n'était pas la sienne, c'était celle de mon grand-père et c'est la mienne" (VII. 21). But there emerged the malign and super-suspicious influence of Baron Holstein. He and Berchem drew up a long memoir of fine-spun arguments against the renewal; with these they won over the Kaiser and Caprivi. It was decided on March 27 to drop the negotiations for renewal, because the terms of the Reinsurance Treaty were contrary to the spirit, if not the letter, of the Triple Alliance, and also because, "if the treaty became known, either by a deliberate or accidental indiscretion, it would endanger the Triple Alliance and be calculated to turn England away from us". The German ambassador at St. Petersburg had been hastily summoned back to Berlin for a consultation. He did not think it likely that Russia would deliberately divulge the treaty; but he recognized the "possibility of indiscretions from some other source" (VII. 11), by which probably he meant no other than Bismarck himself. When Schweinitz returned to St. Petersburg next day, and reported Germany's negative decision, the Tsar was content, but his foreign minister, Giers, was "in some consternation". Already old and feeble, Giers feared that under his successors the chauvinistic militarists and Pan-Slavists might get the upper hand and threaten peaceful relations between Germany and Russia. He hoped by a treaty to bind his successors. Six weeks later he again brought up the subject and urged the renewal of the treaty. He was willing to make any changes Germany wanted, or even to have merely an exchange of notes, or at any rate some kind of a written agreement between the two countries. Since a further refusal on



Germany's part might tend to drive Russia into the arms of France, Schweinitz advised "some kind of a written agreement which, even if it became known, could not be used against us". Just after this advice reached Berlin, Bismarck gave an interview to a Russian journalist, which alarmed the German Foreign Office (VII. 23, 35), and made them fear that even if the Tsar were discreet, the irritated ex-chancellor might let the dangerous cat out of the bag. Holstein, Marshall, Kiderlen, and Raschdau all hastened to write memorials against a renewal of the Reinsurance Treaty or anything resembling it; and the Kaiser and Caprivi accepted their view. Schweinitz was told positively to drop the whole matter. Thus fell one of the main props of Bismarck's balance between Russia and Austria. Russia was left isolated. How far did this non-renewal influence Russia in accepting the French advances which resulted in the Franco-Russian alliance? One cannot say positively, because the documents in the French Yellow Book on the Franco-Russian Alliance are too meagre; but from the German documents one gets the impression that it did probably have a considerable effect, influencing the Tsar and Giers ultimately to accept the somewhat distasteful alliance with the republican radicals on the Seine.

The main aim of Germany's policy during the years 1890-1897 was the maintenance of peace by keeping the Triple Alliance strong and intact, and by preventing it from being turned from its original defensive character into an agreement which might be used for offensive purposes by Italy or Austria. This was a somewhat difficult task on account of the impotent ambitions of Crispi, the querulous fears of Goluchowski, and the French attitude toward Italy.

At the third renewal of the Triple Alliance in 1891, Crispi requested Germany to give unconditional support to Italian interests in Morocco as well as in Tunis, Tripoli, and the eastern Mediterranean. But Germany feared that this would encourage Crispi too much and might lead to a conflict with France. So Berlin insisted that Morocco be left out of the treaty, preferring to trust Morocco's independence to the treaty right shared by all the great powers; and German support of Italy's ambitions was to be binding only "after a formal and preliminary agreement". Crispi was by no means satisfied. The following years are filled with his demands and reproaches, which became louder as his Abyssinian adventure went from bad to worse. He complained that Italy was being browbeaten by France, threatened by Russian intrigue in the Near East and Abyssinia, and neglected by England—and that for all this Germany and the Triple Alliance were to blame. A long *aide-mémoire* of this nature in 1895 ends with the warning: "Notre fermeté est invariable, mais nous sommes dans un moment historique qui doit décider si l'Italie, en fondant ses intérêts pacifiques sur la Triple Alliance et sur l'Angleterre, a été le jouet d'une utopie." France, Crispi complained a little later, would make no con-

cessions to Italy in commercial or African matters, so long as she remained in the Triple Alliance; because, according to Crispi's report of an explicit French official statement, "French public opinion and French policy, no matter what may appear superficially, is always fundamentally dominated by the thought of getting back Alsace-Lorraine; France could not only make no concessions to him [Crispi], but must aim to make life as sour as possible for him" (Feb. 9, 1896; XI. 288). But Germany steadily refused to support her ally's ambitions which might lead to a European war. Hohenlohe was firm: "If Germany abandons her present policy of a free hand in the Eastern question, in order to serve the wishes of either Italy or Austria, the danger of a Russo-German conflict is very essentially increased" (XI. 270). So Italy, under Crispi's successor, Rudini, began to shift toward France.

With Austria also Germany's relations were by no means always harmonious. This was particularly true after Count Goluchowski succeeded Kalnóky in 1895 as Austro-Hungarian minister of foreign affairs. Goluchowski was very nervous about Russia's aggressive intentions in the Balkans. He wanted Germany to give assurances of more positive support than the mere promise to defend Austria if the latter were directly attacked by Russia, as provided in the existing treaty. For instance, he wanted Germany to regard a Russian occupation of Constantinople or the Straits as a *casus foederis*. But again Hohenlohe refused: "If we should promise Austria support beyond the express terms of the treaty . . . we should make ourselves responsible for any aggressive plans of the Vienna Cabinet" (Feb. 2, 1896; XI. 113). The Austrians replied that they were tired of Germany's "preaching" to them to come to a friendly understanding with Russia. Germany was getting all the advantages of the Triple Alliance by protection against France in Alsace-Lorraine, but Austria was getting no protection against Russia in the Balkans. "An alliance presupposes a joint opposition to something, but Austria has not the slightest opposition of interests to France. To Austria it is really a matter of complete indifference to whom Alsace-Lorraine belongs. For Austria the alliance with Germany exists only if it secures protection against Russia." To which Hohenlohe replied more emphatically: "We hold fast to the Triple Alliance, but we are not willing that it be used as a means for Austria's undefined plans in the Near East. Austria must be content with the defensive character of the Triple Alliance, if she does not wish to go to smash" (XI. 119). At the same time, however, he tried to cheer up Goluchowski in his pessimistic moods by pointing out that England would surely prevent Russia from any dangerous advance in the Near East. As England's assistance seemed doubtful, however, Austria finally did listen to German "preaching" and made with Russia the agreement of 1897, which left the Near Eastern witches' cauldron frozen for a decade while Russia pursued her adventures in the Far East. As an indication of Austria's bad faith toward her Italian ally it may be mentioned that

she gave to Italy only a very "thinned down" statement of this Russian agreement; knowing that Italy had ambitions in Albania, she concealed from Rome the clause providing contingently for "the formation of an independent state under the name of the principality of Albania, free from all foreign domination". If the chauvinistic Italian public had known of this, in the opinion of Bülow and Holstein, it would have had little more use for the Triple Alliance (XII. 302 ff.). Italy's evolution away from Germany and toward France would have been much more rapid than it was.

In his relations with France the Kaiser returned to Bismarck's policy of the Congress of Berlin period: he attempted to conciliate France by innumerable courtesies, by telegrams of congratulation and condolence, and by diplomatic support in matters where no German interests were involved. Most of these acts, with the exception of the Empress Frederick's visit to Paris, appear to have met with some success—more success at any rate than is admitted by most French writers, though perhaps not so much as one might gather from the over-optimistic reports of Count Münster, the German ambassador in Paris. Count Münster was always inclined to minimize French chauvinism and thus by his reports decrease the fears and suspicions of his imperial master and the men of the German Foreign Office. Before the signature of the Franco-Russian Alliance, he was quite sure that no such incompatible match would ever be made. Even as late as December, 1895, he was still convinced that, "Russia's love [for France] is only Platonic. Platonic love usually ends in hate" (IX. 423).

What the German documents have to say in regard to England is most interesting, and perhaps the most important part of the collection, because less has been known on this subject. Eckardstein has said much, but the documents show that in many points he is inaccurate and untrustworthy. The acquisition of Heligoland (VII. 1-39) was ardently desired by the Kaiser; he was ready to make almost any concessions in Africa to secure it, but his ambassador had to be careful not to let Lord Salisbury see how eager Germany was. Lord Salisbury does not seem to have had any idea how important the cession of this rock seemed to Germany, both as a protection to the new Kiel Canal and the navy, and as a potential source of further irritation between France and England. The Egyptian question recurs very frequently in the documents, both as a point of common interest between Germany, France, Italy, Austria, and Russia, and as the "classical apple of discord between France and England" (VII. 269). It may seem queer to hear a German ambassador urging Lord Rosebery to increase the British fleet in the Mediterranean, but Germany urged a strong positive English policy in the Mediterranean for many reasons: it would make Italy more contented to have British protection against France in North Africa, Austria more contented to think that a British fleet would guarantee Russia's exclusion from Constantinople

and the Straits, Germany more able to continue her policy of "hands free" in Mediterranean and Balkan questions; and it would tend to strengthen the Triple Alliance. It was with much satisfaction that Germany heard Lord Rosebery's private declaration that "he was determined to take up the struggle with Russia and conduct it alone, in case such a struggle became necessary from Russia's insistence on opening the Straits. He hoped earnestly to avoid a European war arising from this", and thought it could be avoided, if the Triple Alliance would exert pressure on France to sit still (Feb. 27, 1894; IX. 129). If Germany had really been seeking European hegemony, here was a beautiful chance to check Russia in the Balkans, and, if need be, to fight a world war in which the British fleet would have been on the side of the Triple Alliance, instead of on the Franco-Russian side, as in 1914. But Germany refused to give any promise to exert pressure on France. In the interests of European peace she preferred to hope that the Straits question could be settled peacefully, on the basis of compensation for Austria (IX. 134-139).

The second book mentioned at the heading of this review, Schwertfeger's *Pathfinder*, is a convenient guide to the first six-volume series. It gives a brief summary of each group of documents, and a tabular view showing the date, place of origin, sender, and recipient of each despatch. It is designed primarily for Germans, since half the volume consists of translations into German of passages in French or English. A special number of the *Archiv für Politik und Geschichte* (Heft I., January, 1924) may also be noted, in which there is an interesting symposium by the editors of the documents, by historians, and by ambassadors and ministers, past and present, on this great documentary publication. They express just pride in the work and confidently believe that a study of it will show the injustice of the Versailles Treaty's dictum of Germany's sole responsibility.

SIDNEY B. FAY.

*Deutschlands Aussenpolitik von Bismarcks Abgang bis zum Ende des Weltkrieges.* Von VEIT VALENTIN. (Berlin: Deutsche Verlagsgesellschaft für Politik und Geschichte. 1921. Pp. xv, 418.)

*Bismarcks Aussenpolitik von 1871-1890: eine Uebersicht über die sechs ersten Bände der Diplomatischen Akten des Auswärtigen Amtes.* Von VEIT VALENTIN. (Berlin: Deutsche Verlagsgesellschaft für Politik und Geschichte. 1922. Pp. 36.)

DR. VALENTIN writes with imagination, with lucidity, and with a warmth of style which have given his book a deservedly wide reading in Germany. In 1915 he was engaged by the German Foreign Office to go through the archives and make a statement of Germany's side of

the question of responsibility for the war. Other interests, however, especially his activities in connection with League of Nations propaganda, in behalf of which he published a volume in 1920, postponed the diplomatic studies which he had begun in 1915. After the appearance of the *Kautsky Documents* in 1919, he recast what he had written and made it a part of this very readable account of German foreign policy from Bismarck's fall to the German collapse in 1918. His narrative falls into three approximately equal parts.

The first third of the volume is a good sketch, from the German point of view, of the work of Bismarck's successors and the gradual shift in the European system of alliances; the Triple Alliance lost its dominant position because of Italy's ambitions in the Mediterranean and Austria's increasing insecurity at home and in the Balkans; at the same time, the Triple Entente was growing in relative strength through the increasingly close bonds between its members. The danger of a clash was heightened by the general increase in armaments in 1913-1914, the growing tension in the Balkans, Poincaré's influence in France, and Russia's ambition to open the Straits. Dr. Valentin's account of these years adds little beyond what may be read in such recent good books as that of Gooch; it suffers in accuracy and solidity from too great dependence upon the statements culled from the reports of Belgian diplomats, edited in five volumes by Schwertfeger; these Belgian reports are hardly to be trusted, unless corroborated from other sources, because their authors often retailed merely current diplomatic gossip and were uninformed as to what was really going on behind the scenes.

The second third of the volume is more valuable. It covers in a brief but masterly fashion the exciting and fatal events of the July crisis of 1914. It does not fail to give some severe judgments on German, as well as Russian and French, policy. It is based on a thorough examination of all the available documents, especially the German and Austrian, published before 1921. But it needs to be corrected in many points, particularly in regard to Sazonov and the events in St. Petersburg, in view of the new documents which have recently been published from the Russian side, such as Dobrorolski's account of the Russian mobilization and Baron Schilling's Foreign Office Journal.

The last third of the volume, dealing with German diplomacy during the war, is very severe on Ludendorff. The author believes, quite correctly, that it was a fatal disaster for Germany that the control of foreign policy was allowed to slip so much from the hands of the civilian chancellors into those of the military and naval staffs. Whatever one may think of Ludendorff as an organizer and military strategist, he certainly had little wisdom as a political leader. He thwarted peace negotiations at moments when they might perhaps have had a relatively successful issue for Germany and opposed until too late all internal constitutional reforms. Finally, in October, 1918, after the complete

failure of his last great military effort, he made a bad situation worse by his vacillation and the contradictory measures which he successively urged. The author denies the theory that it was the "stab in the back" from German socialist and pacifist propaganda which demoralized the German army. In reality he thinks German morale broke down, partly owing to the long privations and the steadily increasing odds against the Central Powers, but partly to the stunning effect with which the conviction of complete military defeat was suddenly borne in upon the German masses. Here again Ludendorff was to blame: through his rigid press censorship and repeated promises of ultimate German victory, the German people had been so long deluded that when the realization of the truth finally came, its psychological effect was all the more crushing.

Dr. Valentin's little pamphlet on Bismarck's foreign policy is an interpretation of the first six-volume series of documents from the German Foreign Office. Bismarck's wisdom lay in his moderation.

SIDNEY B. FAY.

*Die Grossmächte in Ostasien von 1894 bis 1914: ein Beitrag zur Vorgeschichte des Krieges.* Von O. FRANKE, Dr. Phil., Ord. Professor an der Hamburgischen Universität. Herausgegeben mit Unterstützung der Hamburgischen Wissenschaftlichen Stiftung. (Brunswick and Hamburg: Georg Westermann. 1923. Pp. xxiv, 408. 18 M., gold.)

THIS book is essentially an exposition and analysis of the diplomatic manoeuvring of foreign offices for place and power in connection with, but not alone in reference to, East Asia, during the twenty years immediately preceding August 1, 1914.

It is *not* a history of the activities of the great powers in East Asia; it tells little concerning lands or peoples, almost nothing concerning the nature of the territorial and economic prizes for which the powers were contending, and nothing whatever concerning what they made of what they got. It is a *diplomatic* history. As such, it is a defense of Germany's motives with adverse criticism of her tactics, and an excoriation of British methods and objectives with a characteristically Teutonic appraisal of their success.

In spite of prejudices, persuasions, and conclusions in part based on suspicions, this is a valuable history—but it must be read with care and caution. It should, in fact, be taken up only by readers who are fortified in advance with a considerable knowledge of the subject. To such it will serve several useful purposes. It throws light, by placing related but seldom associated facts in a juxtaposition which establishes or at least suggests their common connection. It shows how the "masters of political affairs" in the realm of Weltpolitik have moved their pieces, made their combinations, taken their gains (or losses), and en-



deavored to insure and reinsure themselves against each other. It shows how intimately connected have been the rapprochements and disaffections in Europe with the shifting and counter-shifting of effort and interest in the Far East. It contains very valuable comments on the accounts given by contemporary publicists, especially the writers of memoirs. It introduces evidence from the latest available documents. And it shows what is being thought and taught in Germany to-day.

The book opens with a swiftly moving introduction to *Weltpolitik* and an outline sketch of the positions of the great powers on the Far Eastern chess-board in 1894.

Part I. is devoted to the Chino-Japanese War and the Treaty of Shimonoseki, particularly the intervention of Russia, France, and Germany. Here England is charged with betrayal of the principle of co-operation and with having looked forward to obtaining a port on the North China coast (whence the lease of Wei-hai-wei). Germany, it is contended, was made a cat's-paw, and her diplomats handled the affair stupidly. The German note to Japan, phrased, it is admitted, in a tone brusque and peremptory, was intended to impress the Japanese with the clear vision and positive frankness of Germany. Substantial doubt is cast upon Hayashi's account of the conversation when Gutschmid presented the note—in fact, it is declared that it could not have happened in the manner recorded and that practically everything which Hayashi wrote concerning Germany is "false" (p. 93).

Part II. gives an essentially conventional account of the "spheres politics" up to 1900, with a critical account of Germany's choice and seizure of Kiaochow Bay.

Part III. is devoted to the English "policy of alliances" and the immediate antecedents of the Russo-Japanese War, featuring the Anglo-Japanese alliance. The gaucherie of German diplomacy, the swashbuckling of Russia, and the subtlety of British policy and action are emphasized. After 1900 England had to make it her business to form alliances, and from then on we have . . . "a great world politics embracing every part of the earth and all civilized peoples".

Part IV., the longest section, takes up the Russo-Japanese War and its consequences, especially the "encircling" of Germany. Much attention is paid to British "propaganda". Tribute is paid to Grey's skill. The Japanese-French, the Japanese-Russian, and the Japanese-American conventions of 1907 and 1908 are accredited to British suggestion—for the "discrediting, isolating, and undoing of Germany" (p. 302). From suspicion that an unwritten alliance was developed between England and the United States the author proceeds to certainty (p. 306)—whence complete bitterness against all Anglo-Saxondom. "Nothing has become known of the reciprocal pledges, but that only shows that the parties have had every ground for keeping this secret" (p. 306)!



The Russo-Japanese Convention of July 4, 1910, is considered "the turning-point of East Asiatic politics". Six weeks later Japan annexed Korea. In the next year, the Anglo-Japanese alliance was renewed, though its expiration was not due. In connection with this, the hypothesis is advanced that the assurance to Japan that she would be permitted to succeed Germany in Kiaochow was given first, not in 1917, not in 1915, but in 1911, when the Anglo-Japanese alliance was being renewed, as the price paid by England for Japan's consent to the exception of the United States from the contemplated operation of the treaty; and that the Russian approval was probably given in the secret treaty (Russia-Japan) of July 8, 1912.

Finally, in conclusion, it is admitted that "the Germans were not without fault": they should, when the opportunity was offered, have firmly grasped the hand of the new Asiatic power. Professor Franke looks forward to a struggle between Anglo-Saxon and Japanese power in and over the Pacific. He envisages the rising tide of national self-consciousness among the peoples of Asia, drawn together by Russia, developing and moved by a passionate longing for independence. "The day of the Germans may come again";—it will "first dawn in the East".

STANLEY K. HORNBECK.

*Seaborne Trade. Volume III. The Period of Unrestricted Submarine Warfare.* By C. ERNEST FAYLE. [History of the Great War, based on Official Documents, by direction of the Historical Section of the Committee of Imperial Defence.] (London: John Murray; New York: Longmans, Green, and Company. 1924. Pp. xx, 501. Map. 21 s.)

THE excellent triumvirate, Corbett, Hurd, and Fayle, have brought to a conclusion a series of volumes dealing with the naval history of the World War which in their accuracy, clearness, and necessary condensation are quite unique. No historical task of such magnitude has ever been undertaken with such methodical thoroughness, and the result is a monument to the far-sighted wisdom of the Historical Section of the British "Committee of Imperial Defence".

Mr. Fayle's second volume, which was reviewed in this journal fifteen months ago (XXVIII. 750), brought the story of the struggle of seaborne trade up to the opening of the "unrestricted" submarine campaign, and the present volume continues the tale to the armistice. In the preface to volume I., the author states that his object "is to show how seaborne trade was affected during the war by naval operations and conditions having their origin in the naval situation". For this reason he decided to "bring the narrative to a conclusion at the armistice, and to limit the final summary to an analysis of the position in which the belligerents were left as an immediate result of the struggle, striving only to

AM. HIST. REV., VOL. XXX.—10.

indicate such seeds of future weakness as can be traced directly to the effects of the war at sea". This decision the author vindicates on the ground that, if he were to attempt to write a general economic history of the war, it would be necessary to bring it down to date and to attempt a forecast of the future, as well as to face the extraordinarily difficult task of unravelling, in the economic situation of the world to-day, the factors arising respectively from the events of the war itself on the one hand, and from the peace treaties and events subsequent to the armistice on the other, a task before the hugeness of which, not to say its practical impossibility, the boldest author might well shrink.

In another way Mr. Fayle has demonstrated the soundness of his historical judgment. He has not fallen into the error of apportioning praise and blame, but has considered it the part of wisdom to tell, as clearly as he could, "what was done, why it was done, and with what results; stating the grounds of any objections urged at the time, but abstaining, in general, from personal comment, and leaving the reader to draw his own conclusions". In harmony with this method, there will be found in this book almost an entire absence of *pièces justificatives*, and in no place does the author fall into the doubtful habit of taking sides upon a controversial question, as Sir Julian Corbett did in regard to the course of Jellicoe at Jutland. It is in virtues of this kind that an historical record like this rises far above such controversial and apologetic books as those of Mr. Winston Churchill and the prominent commanders in the World War.

Any notice of a work of this sort must necessarily be general in character, if only on account of the appalling mass of detail handled. The two first volumes were a record of the inevitable short-sightedness and the impossibility of comprehending the vastness of the existing problems, leading up to the crisis of 1917-1918. It is made clear that this crisis (and the alarming letters of Lord Beresford will ever bear witness to its fearful actuality) was the result of a cumulative deficit, dating back almost to the beginning of the war, in the carrying power available for commercial purposes; that, in this crisis, rigid concentration of purchases and drastic restriction of non-essential imports proved the salvation of the Allies; and that the price paid has been heavy, a fact which has never been clearer than in the year 1924, more especially in an economic sense.

This third volume of 501 pages is furnished with a chart showing the barred zones of 1917 and 1918, as well as eleven tables of tonnage, imports, convoys, etc. There are also thirteen graphic diagrams showing amounts of imports at different periods, the losses, the gains, and the results of submarine sinkings. As Mr. Fayle says, "the story of the years 1917 and 1918 is the story of a great gamble", and "it has been the author's task to show how nearly this gamble succeeded. It has been his task also to show at how heavy a cost it was ultimately foiled" (preface). His

book must always remain the chief authority on such subjects as the tonnage problem, the supplying of the necessary shipping and food and war-material, the interesting one of the successful recourse to the old system of convoy and the working-out of that system in its modern phase, in fact, all those elements which meant the defeat of the German submarine campaign. It is a bit sad to read Mr. Fayle's very mildly expressed charge that the United States authorities, although warned, acted too late to prevent the serious damaging of the valuable German vessels in New York, whereas the Chinese government "moved so promptly in taking possession of the German steamers in their ports that the crews were surprised and overpowered before any harm had been inflicted" (p. 83). A very fair account of the American part in the tonnage campaign is given, including the controversy between the advocates of building wooden and of steel ships. Throughout this volume the views expressed during the war by Admiral Sims, such as those on the value of convoys, and his disinclination to weaken the American naval forces in European waters in order to protect the American coasts against the German submarine adventure, receive support. From a military standpoint wonder again arises that the German admiralty did not make the attempt, which might well have been at least partially successful, to break into the Atlantic with some of their battle-cruisers, which might have, even if for a short time, wrought havoc with transports and cargo ships (especially when the American army was crossing the Atlantic), and the very presence of which on the high seas, even if never encountered by the Allied shipping, would have sadly disarranged the vital plans of the Allies. By August, 1918, it was already too late. As Mr. Fayle expresses it, "The revelation that the American armies, whom they had been taught to believe existed only on paper, were already capable of taking their place in the line of battle and dealing staggering blows, was a terrible shock" (p. 404).

In conclusion the author points out that once again the absolute importance of maritime communications was "emphasized beyond all precedent, and beyond all general expectation. . . . and though Germany's balance of agricultural and industrial strength fitted her to endure a prolonged period of isolation better than any other European Power, she was able to hold out for four and a half years only at the cost of a complete economic and social collapse" (pp. 454-455). In several other passages he emphasizes the fact that sea power has become, if anything, more vital than ever.

This volume, like its predecessors, is well printed. A few, slight defects might be noted, such as the spelling of the word *show* as a rule, but with an *e* (shew) in the diagrams.

EDWARD BRECK.

*Egypt and the Army.* By Lieutenant-Colonel P. G. ELGOOD, C. M. G. (London and New York: Oxford University Press. 1924. Pp. ix, 382. 2 maps. 16 s.)

THE name of this book reflects a certain lack of precision, of fusion, in its plan and content. Not until the reader has begun to turn the pages does he gather that *Egypt and the Army* deals with the relations between Egypt and various branches of the British army stationed there between 1914 and 1919. Nor is he told in so many words by this member of the Egyptian Civil Service, whose military status is perhaps of no long standing, that the British army was largely responsible for the "loss" of Egypt. The author states, rather, with disarming modesty, that his task is "to relate how and why Egypt threw off the yoke". Yet in doing so he dwells at greatest length on the military measures and operations of which Egypt was the base. And he allows us to divine that there were sharp differences of opinion between the man on the spot and the men in Palestine, Paris, and London.

The writer tends to take too much for granted of the general reader, who in America at all events is indifferently posted on the history either of the Suez Canal or of the British occupation. As for the specializing reader, he will note that Lieutenant-Colonel Elgood's allusions to the Near Eastern neighbors of Egypt do not appear to be based on first-hand acquaintance, and that the book is somewhat too sparing of documentation. For texts, dates, and references the future historian will as a rule be obliged to turn to other sources. Having made these reservations, however, it remains to say that *Egypt and the Army* collects in convenient form much hitherto scattered information with regard to the part played by the Suez Canal in the Near Eastern campaign, to the various military units of which Egypt was the headquarters, to the successive changes in the High Command by which Lieutenant-General Sir John Maxwell was replaced by Sir Archibald Murray and General Murray by the future Lord Allenby. There are also interesting side-lights on French activities in the eastern Mediterranean.

Lieutenant-Colonel Elgood makes no pretensions. The candor with which he discusses the relations between England and Egypt is therefore the more convincing. In his preliminary chapters he sketches the policy of the British occupation under Lord Cromer, Sir Eldon Gorst, and Lord Kitchener, narrates the genesis of the Nationalist movement thirty years ago—when a young Egyptian jurist named Saad Pasha Zaghlul first made himself known—and intimates that when Egypt had been rescued from political and financial chaos it was Cromer who influenced his vacillating government against any relaxation of the British hold on Egypt. Yet Lord Cromer worked with a British staff of 300 to 400, whereas the number of Englishmen in the Egyptian Civil Service later rose to 1600 or 1700. To this failure to show any sign of redeeming her early pledge of withdrawal, Great Britain added in 1914 the fault of making another

promise which she found it impracticable to keep—that Egypt should not be drawn into the war. If the part played by Egypt was indirect, if Egypt owed it to Great Britain that the Turkish attack on the Suez Canal was repelled, Lieutenant-Colonel Elgood makes it clear that the Egyptians nevertheless resented and misunderstood the military measures and restrictions imposed upon them by a war which was not theirs. And the crowning blunder was the refusal of Downing Street in 1919 to permit Zaghul Pasha to visit London and Paris for the purpose of discussing the future status of Egypt. “His Majesty’s Government”, concludes Lieutenant-Colonel Elgood, “pursued their chosen path”—of repression rather than conciliation—“and England has lost Egypt.”

#### BOOKS OF AMERICAN HISTORY

*Proceedings and Debates of the British Parliaments respecting North America.* Edited by LEO FRANCIS STOCK. Volume I, 1542–1688. (Washington: Carnegie Institution of Washington. 1924. Pp. xx, 515. Paper, \$5.00; cloth, \$5.50.)

THE Department of Historical Research of the Carnegie Institution of Washington, under Dr. Jameson’s direction and with Dr. Leo F. Stock as editor, has undertaken to prepare a text of the debates and proceedings of the Parliaments of England, Scotland, and Ireland, which shall contain only those items that concern, in all their varied aspects, American colonization, and American colonial history. From the point of view of method this effort is part of the department’s general activity in providing helps for the investigator. Of this activity the guides already issued and the other projects under way, such as the collection of treaties, are a further indication.

These publications are all tools of trade, of a kind unknown to the older generations of scholars. In this volume the student of American colonial history has at his elbow all that he can now know or is ever likely to know regarding the actions concerning the colonies in America taken by any of these Parliaments in the sixteenth and most of the seventeenth centuries. He will no longer need to go afield and spend valuable time in turning over pages of extraneous matter, searching for the items of which he stands in need, some of which he is likely to miss, no matter how carefully he works. It is doubtful if any scholar has ever attempted to cover the Parliamentary journals in any manner commensurate with the efforts that Dr. Jameson and Dr. Stock have made; and even had there been one, the results of his search would profit only himself and not be at the service of others. The great merit of this undertaking is that it brings all this scattered material to the immediate knowledge of the veriest tyro in the profession.

The scope of the work is limited only by the data secured, which means that the editors have included whatever they could find that might legiti-

mately pass under the head of proceedings and debates. They have ransacked all printed sources; they have searched, either personally or through others, unprinted sources contained in the archives and libraries of England, Scotland, and Ireland, and documentary collections in this country; they have invited suggestions from fellow-workers, have followed up clues, and run down rumors, until they have succeeded in gathering a mass of evidence that is beyond price. Great as is the importance of the present volume, the value of the whole enterprise will appear only as future volumes are issued carrying the work to the end of the colonial period.

The utility of this particular issue lies not merely in the completeness of the text submitted and in the information furnished; not merely in the amazing accuracy and fullness of the annotations with which Dr. Stock has supplemented the official data—a task showing excellent judgment and unwearied industry; but even more in the general impressions that are left of the part that the Parliaments actually played in furthering the interests of the plantations as factors contributory to the welfare of the kingdom. From the acts of the Privy Council and the journal of the Board of Trade, in part printed and in part still in manuscript, we know a good deal more than we used to know about the executive side of the old British colonial system; but except for the statutes passed—most of which are familiar—we have hitherto had only a scrappy knowledge of the legislative side. A considerable part of what has passed for history on this point has been unreliable and incomplete, and I believe that when the whole tale is told, as it will be soon, Parliament will be found occupying a much more important place than has formerly been assigned to it among the bodies concerned with the supervision of colonial affairs. In the volume before us, the Parliaments are largely, though not exclusively, engaged in furthering the commercial or productive side of colonial enterprise—tobacco, the fisheries, and the like. But there is something here about defense, about the actual circumstances of settlement, about the liberty of the subject in America, and about the economic relations between England and Scotland and Ireland that is deserving of careful attention. Any sort of an analysis of these activities lies beyond the scope of so brief a notice.

This volume, as well as the whole undertaking of which it is a part, demonstrates the growing interest that American scholars are taking in the colonial aspect, properly so called, of our early history, and shows that gradually the foundations are being laid for a better understanding of our colonial relations with the mother country and for a truer comprehension of the place that our colonies occupy in the past history not of America only but of the world.

CHARLES M. ANDREWS.



*Histoire Politique et Sociale du Peuple Américain.* Par D. PASQUET, Agrégé d'Histoire, Docteur ès-Lettres. Tome I., *Des Origines à 1825.* (Paris: Auguste Picard. 1924. Pp. x, 410. Map.)

THIS work seems to be a response to an interest in America which has been awakened by American participation in world affairs. In the past, French historians have looked upon the history of the United States, except around the Revolutionary and Civil wars, as barren of general interest. The studies of A. Moireau and G. Weill are incomplete, and the author considers unsatisfactory for French readers the translations of Farrand, Channing's short history, Muzzey, and Woodrow Wilson. His aim is to write a history covering the colonial as well as the later period, primarily intended for the French people, leaving out the details of party struggles, which he regards as of little interest to any except Americans. A good example of this is the treatment of the election of 1800, which he has the courage to discuss without even a reference to the ensuing Federalist intrigues to defeat Jefferson. Political history is subordinated to social history, carrying out the idea that one reason for the study of United States history is to observe the phenomenon, appearing for the first time in the world, of the creation of a new nation in the space of a few generations.

An interesting chapter is devoted to a description of the American forest, the Indians, and the difficulties presented by nature to colonial expansion. Six chapters deal with exploration and the colonial period. A more adequate treatment than is usual is given to the causes of emigration, not neglecting English economic disturbances, and dwelling somewhat at length upon the advertising methods of the promoters of colonies. The character of the colonists and the nature and effects of pioneer life are dwelt upon. In the chapter on French and English rivalry little attention is paid to military operations, but French explorations, the colonization of Louisiana, and English and French rivalry in the fur trade are developed in more detail. Two chapters tell of the economic and intellectual situation in the colonies just before the Revolution, the colonial system, the events leading up to the Revolution, and the progress of the revolt. Little is said of the Revolution as a social conflict in America itself, a phase that would seem to deserve a large place in a study of the social history of the United States. The chapter on the Critical Period and the Constitution follows orthodox lines. Two chapters outline the political history to the Treaty of Ghent. The concluding two chapters deal chiefly with westward expansion, the conditions of pioneer life, and economic and intellectual development. The author does not show great friendship for the Monroe Doctrine, and he is hardly correct when he says that it became the Bible of nineteenth-century American diplomats. Clay's "American system" is treated as a sort of economic corollary to the Monroe Doctrine.



The work as a whole, however, is a very sympathetic treatment of American history and American life. The style is easy and clear, and coherence is gained by the exclusion of political details that would interrupt the narrative of social and economic development. It is not a mere restatement of the American histories but a fresh treatment, and use has been made of many of the latest studies in special fields. No reference is made to these studies in foot-notes, but a critical bibliography is added, listing many recent as well as older works, though some valuable contributions are missing. Although this volume contains a detailed table of contents it has no index, a regrettable feature too common in French books; but this may be supplied in the final volume.

W. REED WEST.

*Minutes of the Council and General Court of Colonial Virginia, 1622-1632, 1670-1676*, with notes and excerpts from original Council and General Court Records, into 1683, now lost. Edited by H. R. McILWAINE. (Richmond: 1924. Pp. xiii, 593.)

IN the years from 1905 to 1915, the Virginia State Library published, in thirteen stately folio volumes, the *Journals of the House of Burgesses* from 1619 to 1775. In 1918 it published, in three volumes, of the same sumptuous style, the *Legislative Journals of the Council of Colonial Virginia* from 1680 to the Revolution. It now begins the publication of such portions as are extant of the executive and judicial records of the council and the General Court, the latter being, until the Revolution, the designation of the council as a judicial body. The present volume (which has no table of contents) contains on pages 1-202 such minutes of the council and General Court as are to be found in the Manuscript Division of the Library of Congress, to which they came from Mr. Jefferson's library. These extend from 1622 to 1632. Pages 203-461 contain minutes from 1670 to 1677, printed from manuscript in the possession of the Virginia Historical Society. Pages 463 to 523 contain a body of notes and excerpts made by the late Conway Robinson from order-books and other records which were extant in his time but perished in the burning of the state court building in April, 1865. These notes, ranging from 1626 to 1682, represent but a very small part of what is lost, yet have their value. It is a pity that they have not been rearranged into a chronological order. Ten additional pages reproduce council records of 1677 preserved in Hening's *Statutes*. In 1680, in pursuance of orders from England, the practice began of sending to London transcripts of the proceedings of the council as an executive body. The next volume to be printed by the State Library will be volume I. of the executive journals of the council, pure and simple.

The volume is produced in the same careful manner as its predecessors. The present reviewer does not think it possible to commend the printing of *y<sup>e</sup>* for *the*, *y<sup>t</sup>* for *that*, and the like, nor the use of symbols in

"record type" for pre-, pro-, per-, and par-. There are probably very few cases where these contractions cannot be expanded with perfect security (with quite as great security as the determination which of these symbols the writer of the manuscript is using), and if that is the case there is no advantage in making the reading of the text difficult, or in encouraging the vulgar to continue to believe that our ancestors said "ye" instead of *the*. The editor believes that his attempt to retain these ancient forms "is really for the peace of mind of the student". The judicious student has such confidence in Dr. McIlwaine's painstaking accuracy that his peace of mind is already assured; his ease in reading deserves further consideration.

As to the contents of the volume, it would apparently be a much simpler matter to name the aspects or incidents of Virginian existence in the seventeenth century on which these pages do not furnish information than those on which it does. If there is any such topic on which the volume makes no contribution, the reviewer has not perceived what it is. In other words, these minutes of a vigilant council and a busy court furnish literally thousands of mosaic-bits toward the picture of early colonial life in Virginia. Not even the *Journals of the Burgesses* contribute so much to our knowledge of Virginian society in the seventeenth century, while the two works, taken together, surely make more contribution of that sort than all other printed sources combined. Their publication reflects great honor on the state, and on the editor, to whom the achievement is chiefly due.

J. F. J.

*The Colonial Agents of the British West Indies: a Study in Colonial Administration, mainly in the Eighteenth Century.* By LILLIAN M. PENSON, Ph.D., Lecturer in History in Birkbeck College, London. (London: University of London Press. 1924. Pp. xii, 318. 10 s. 6 d.)

THIS monograph is perhaps the most scholarly contribution that has been made toward an institutional history of the British West Indies. Basing her careful investigation for the most part upon manuscript sources, Miss Penson has traced the development of the agency from its genesis in the time of Cromwell through its period of power in the eighteenth century to its decline and disappearance in the middle of the nineteenth. Besides official correspondence, council minutes, assembly journals, archives of British councils and boards, she has skillfully used private papers of several agents, such as Thomas Povey, Christopher Jeffreson, James Knight, and Sir William Stapleton, and records of such societies as the West India Committee of London and the Bristol West India Club. The book is a welcome supplement to the occasional treatments of colonial agents by Andrews, Higham, Osgood, E. B. Russell, and particularly to E. P. Tanner's article on the agencies in the *Political Science Quarterly* for 1901.

It was out of business and political relations between the islands and England during the Interregnum that something akin to the later agents emerged. Merchants, absentee planters, governors' correspondents, and occasionally special agents served confidentially as liaison officers between colonies and mother country. Thomas Povey, barrister of Gray's Inn and extensive trader, was probably the most active of the early unofficial correspondents of Barbados. By 1661, that colony was paying a group of absentees and merchants in England to promote its interests, and the Council for Foreign Plantations—apparently at the suggestion of Povey—exhorted New England and Virginia to appoint similar official representatives. While the early agents were responsible to the governor, Barbados in 1671 secured to its assembly the rights of appointment by act, instruction, payment, and responsibility of its agents. By 1700, agencies so conceived had been established with the approval of home authorities by most of the West India colonies and the eighteenth century saw their extension to nearly all the American colonies. Problems of appointment and tenure occasioned long and bitter struggles between governors and councils and the assemblies.

The agent's function, "to stand sentry and bee watchfull", included endless solicitations for confirmation of colonial laws, relief from duties, preferential treatment of trade, suppression of illicit commerce, encouragement of slavery, grants for defense, convoys, and countless other favors. Agents were consulted about colonial appointments and problems of imperial policy. The colony controlled its agent through a committee of correspondence, scrutiny of his accounts, reproof, and dismissal. Laxity in correspondence was considered neglect of duty. Faithful agents like John Sharpe often served more than one colony and for many years. The personnel of the agency included merchants, barristers, solicitors, and most frequently absentee planters. Efforts to enlist statesmen of the calibre of Robert Walpole and Burke generally failed, as the highest salary ever paid was £500. Agents who were also civil servants or members of Parliaments were especially useful. Political endeavors in England were facilitated by dinners and "token feasts" for persons of influence, coffee-house meetings particularly at the Jamaica Coffee House and the Cardinal's Cap, and between 1730 and 1740 by the powerful Planters' Club. Funds for political ends were raised at London and out-ports by a "charge on trade", an unofficial duty of 1 *d.* per hogshead on sugar. Most influential of the organs of the planting interest was the Society of West India Merchants, dating from about 1760 with its "Standing Committee" functioning from 1781 though not incorporated as "The West India Committee" until 1904. In co-operation with the Committee, agents waged to the last their losing fight for the slave trade, slavery, and monopolies in commerce. Their dealings with Parliament and various departments, the procedure, delays, fees, and gratuities make vivid the politics of Georgian England. The long duration of the struggle for emancipation and free trade is in

part a testimony to the strength of the West India interest and the efficiency of its agents.

With the decline of the West Indies in the nineteenth century and the substitution of crown colonies for the representative type the system of agencies, as a useless institution in an age of decay, was contracted in 1833 and for the most part abolished about 1850. Appendixes include significant documents illustrating the evolution and work of the agency and lists of agents for each West India colony and Bermuda. Particularly helpful to other students is the section on the sources and literature of the subject. So intimately has Miss Penson associated the development of a rather elusive institution with the real problems of living in the old empire that her portrait of the colonial agent leaves a lively impression of reality.

FRANK WESLEY PITMAN.

*Nationalism and Religion in America, 1774-1789.* By EDWARD FRANK HUMPHREY, Ph.D., Northam Professor of History and Political Science in Trinity College, Hartford, Connecticut. (Boston: Chipman Law Publishing Company. 1924. Pp. viii, 536. \$3.50.)

DR. HUMPHREY states that the object of this work is to throw light on the part which religion played in the creation of "American nationalism". He claims to deal with "the forces of Nationalism and Religion" and not to confine himself to the narrower fields of State and Church. This is a task which is well worth undertaking. A scholarly approach to the formation of American national consciousness through religion might yield rich results and also serve as an antidote to too much economics. It cannot be said that Dr. Humphrey has wholly succeeded, nor followed his self-imposed lines. The greater part of the book discusses the formal organization of the various ecclesiastical bodies and the Constitution of the United States rather than religion and nationalism. The great mass of quoted material, which is one of the features of the volume, deals mainly with matters of organization. Hence there is a sense of unsupported statement when the author indulges in the generalizations which are characteristic of his treatment of the other aspect of his topic, such as that "the churches of America were the great stabilizers of political institutions during that period of disruption and anarchy which followed the breakdown of British control" (p. 96); or that "the centralized governing body of the Presbyterian Church . . . was the most influential of all colonial institutions towards the development of a centralized national conscience [*sic*]" (p. 440).

It is in pointing out the importance of the topic that the main value of the book perhaps will be found to lie. The author offers us no new facts. He has made no use of manuscript sources and his references are

all to well-known printed records and secondary works. The construction of the book reveals much of Dr. Humphrey's method of treatment and approach. It is divided into three parts, of which the first is called "Religious Elements of the American Revolution". Instead of religion, however, he deals with the activities of organized ecclesiastical institutions in separate chapters headed Protestant Episcopal Church in the Revolution, Presbyterian Church in the Revolution, and so on. In Part II., "Nationalization of the American Churches", chapters are devoted to the formation of the national organizations of each of the leading churches. This part is interesting as showing the amount of effort and thought that had gone into the creation of organizations of national scope either simultaneously with or just preceding the creation of the federal Constitution. Part III., "The State and Religion", deals with the separation of Church and State, the religious activities of the Continental Congress, and the position of the churches under the federal government.

Dr. Humphrey has written a suggestive book. His point, for example, that the more ardent followers of the various sects desired a strong central government so as to safeguard themselves against religious persecution and the dominance of any one church is worth considering alongside the more common economic motives pointing to the same end. A main criticism of the book would be that it is imperfectly digested. The text is much overloaded with quotations, frequently several pages in length, from records and secondary works all easy of access in the original. In many chapters this quoted material runs to a third or a half of the total text and makes unnecessarily difficult reading. Nor can the quotations be relied upon without verification. For example, in that from Jefferson (pp. 378-379) the author has made nine changes in punctuation, has italicized certain passages without indicating that the emphasis is his and not Jefferson's; and of the four passages enclosed in parentheses comparison with the original proves one only to be Jefferson's and three insertions of Dr. Humphrey. Indeed, throughout the entire volume he creates confusion by using parentheses where brackets should be employed. In many scores of footnotes no page-references are given, even where the works cited run to several volumes. The proof-reading has been careless and many proper names are misspelled. The book is valuable, however, by indicating what might be obtained by a more painstaking study and a better digesting of the material.

JAMES TRUSLOW ADAMS.

*Den Amerikanske Nasjonen i Upphav og Reising.* By HALVDAN KOHT. (Christiania: Aschehoug and Co. 1920. Pp. 194. Unbound, Kr. 8.50; bound, Kr. 12.00; postage, Kr. 1.20.)

*Amerikansk Kultur i det Nittende Aarhundrede.* By HALVDAN KOHT. [In *Det Nittende Aarhundrede, skildret af Nordiske Videnskabsmaend*, edited by AAGE FRIIS, VI.] (Copenhagen: Gyldendal. 1920. Pp. 100.)

IN these two books by Professor Koht, the Norwegian historian, an able general survey is made of the field of American history. In the first volume, which is written in the Norwegian *landsmaal*, the story of how the American nation came into being is comprehensively reviewed. The author lays stress upon the timely importance of studies of national movements, such as the American achievement of independence, which have involved successful revolutions. He goes back to colonial beginnings and in a series of twenty-one chapters traces in considerable detail the "foundations of American nationality". He writes from a wide knowledge of the subject and succeeds in giving a vivid and enlightening account of the colonial period. Of special interest are his careful analysis of the various elements of population in colonial America and his estimate of the influence of the West in the shaping of American social life. His chapter on "Det Nye Folk" (the New People) shows the influence of Professor Turner's essays on "The Old West" and "The Significance of the Frontier in American History". In discussing the causes of the American Revolution, however, the author indicates that he is not familiar with Western influences as brought out in the writings of Professor Alvord and others. Nevertheless, he has made available for Norwegian readers a discerning and exceedingly valuable study of the American colonial background.

In the second volume under review Professor Koht presents an essay on American culture in the nineteenth century, a revision of a work published in 1912. As its title indicates, this study is designed to follow the main political, social, economic, and intellectual currents in nineteenth-century America. It opens with a brief survey of the winning of independence and the founding of the national government. Chapter II. deals with the territorial extension of the United States and the changes in American policies which have accompanied the transition to world power. The author then turns to the subject of social changes and intellectual tendencies. The two chief factors in the fashioning of social and economic conditions in America have been the frontier and the industrial revolution, in his opinion, and in chapter III. he gathers up an amazing amount of information illustrating movements in some way connected with these forces, such as industrial growth, invention, technical education, labor organization, American Utopias, the homestead agitation, transcendentalism, and the Brook Farm experiment. A long chapter follows on slavery and the South, with



special emphasis upon the development of the South since the Civil War and the negro problem. In a final chapter, on "Democracy's Kulturkampf", Professor Koht discusses the rise of trusts, the efforts to control them, the influence of capitalism, direct democracy, immigration, labor legislation, the growth of American universities, and many other aspects of recent American history. In dealing with so wide a range of subjects, the author in a number of cases lays himself open to the charge of superficiality. It must be borne in mind, however, that his purpose is to give Norwegian readers a general view of "American culture in the nineteenth century". This he has done, in the reviewer's opinion, with remarkable success.

The two volumes under review are important additions to that increasing number of books on American life and American history written by Europeans for European readers. Professor Koht has put before the Norwegian people an account of American history from colonial days to the end of the nineteenth century which is marked by a keen understanding of the underlying forces in American development.

THEODORE C. BLEGEN.

*Washington's Southern Tour, 1791.* By ARCHIBALD HENDERSON.

(Boston and New York: Houghton Mifflin Company. 1923.

Pp. xxviii, 340. \$15.00.)

WASHINGTON'S Southern journey extended from March 21 to June 11, 1791, when on his return he arrived at Mount Vernon. His diary describing his journey in his concise and matter-of-fact way makes fifty-four pages in the complete edition published by Mr. Joseph H. Hoskins, of Summerfield, North Carolina, in 1921. Using this diary as a basis, Professor Henderson, by introducing other matter, has made a book of 340 large pages; and the publishers by using heavy paper and wide margins have succeeded in putting it into the "collector's" class so that it may sell at a price so large that most students of American history are not able to buy the book. It contains eighty-seven illustrations. Some of them are of nearly forgotten buildings or persons and are very interesting. Others are of persons so well known that there is little value in reproducing them in this place. In general the pictures are poorly reproduced, and the binding is unworthy of a book with such a pretentious price.

Professor Henderson has worked industriously to find materials for the execution of his plan, which is to follow Washington in his journey, reproduce from newspapers the addresses made by local committees with his replies thereto, describe the people who served on such committees, give some facts about the houses in which he was a guest, and add whatever other information he can find that relates to the persons, places, or incidents mentioned in the diary. One must commend the industry with which this matter has been gathered, although he may feel disposed to question the value.



The book does not contain all the diary. At times, usually when there is ample material to be interjected, some of the entries by Washington are omitted without the use of dots or asterisks, probably because the author does not wish to repeat. For example, a part of the entry for March 25 and all for March 26 and 27 are omitted. It is also noteworthy that Henderson's text, which follows that in Lossing's edition for the most part, is not exactly like that of the better, Hoskins, edition (see Hoskins edition, entry for June 10-13, pp. 50-51). It follows that this large book cannot satisfy the student who wishes to see Washington's diary in its entirety. Such a person will have to rely upon Hoskins's edition, which is the only complete one in print. Another disappointing thing is the lack of an index. A book in which are so many statements of fact to which one may wish to have reference at a later time loses a large part of its value if there is no index.

The historical student will also be astonished at Professor Henderson's use of his imagination to supply matter which he thinks plausible but for which there is no foundation in fact. Of this class of statements the following (p. 71) will serve as an example:

Everywhere, as Washington's chariot with its outriders and baggage-wagon passed along, it was recognized by the farmers working in the fields, by the slaves, by the children. When the shout went up: "The President is coming! The President is coming!" farmers left their ploughshares, negroes dropped shovel, rake, and hoe, housewives left their duties—all rushed down to the roadside and, as the majestic and awe-inspiring Washington in his impressive-looking chariot passed along, waved their hats and handkerchiefs and shouted "Huzza" and "Long live the President" with fervent enthusiasm. We must imagine these scenes, for they assuredly occurred—and frequently; but Washington makes no mention of them in the pages of his diary.

"Assuredly", to borrow the author's own word, this is not history. Neither from his own gathering of facts, nor from any word in Washington's diary itself, do we find any evidence to show whether the farmers along the roadsides greeted the President with enthusiasm or let him pass unnoticed.

*Die Ausbreitungspolitik der Vereinigten Staaten von Amerika.* Von E. KIMPEN. (Stuttgart and Berlin: Deutsche Verlags-Anstalt. 1923. Pp. viii, 397.)

THE author of this work has been impressed with the fact that so little is known of the United States by the world, although in that world it has risen to "the first place". As his contribution to this need, he has written this study of United States expansionist policy, which he considers as the aspect of our history perhaps most significant to other nations. It is not based on original investigation, but on wide and well-digested reading of secondary material.

The work is divided into three parts, the first treating the years 1776 to 1848 and dealing with transcontinental expansion, the second bringing the chronology to 1897 and treating the rivalry of the United States and Great Britain for control of the Gulf of Mexico, the third reaching 1923 and developing the establishment of United States control over that gulf, but including also the World War. This division is typical of the book, which is rather systematic than profound. It deals very little with ideas, and has little subtilty. Thus slight significance is given to the Monroe Doctrine, no distinction is drawn between expansion and imperialism, and the pro-slavery factor in the movements of the middle period is emphasized almost as much as by von Holst, whom he does not, however, follow with regard to John Quincy Adams.

The last part is the best and is free from the influences of the writings of uncritical historians which sometimes appear in the earlier sections, as in the place attributed to Marcus Whitman. There is throughout some tendency to point a finger, if not of scorn, at least of attention, toward the less creditable aspects of our history. The chapter on Indian policy appropriately ends: "Wieder war es der Triumph der Macht und nicht des Rechts." The classic denunciation of United States methods of expansion by Lucas Alamán naturally finds place (pp. 112-113). Capital, Cecil Rhodes, Carnegie, Beer, Mahan, Lodge, and Sims, all join in pro-British, anti-German propaganda (pp. 350-351).

The pertinence of descriptions of the Civil War methods of Sheridan and Sherman in a history of expansion is hardly obvious. An interpretation of President Wilson's Fourteen Points as intended to give the United States the hegemony of the whole world (p. 363) is a distinct indication of fundamental attitude. The attitude, however, is less one of attack on the United States, than a *tu quoque* defense against the attitude of the United States towards Germany. The first part ends with the conclusion that our expansion was but a carrying-out of the fundamental laws of nature, and the preface expresses a genuine admiration for the result of our expansion policy as a whole.

While this book is addressed to a European audience, and has no new facts to offer American scholars, it would in fact prove more beneficial to the latter than the former. It is too simple a tale to be really useful to people seeking light from the past on American policy in the future; a comprehensive monograph on some one question giving all the angles of motive and opinion would be more illuminating. For Americans, however, it would be distinctly an advantage to see themselves as many others undoubtedly do see them.

CARL RUSSELL FISH.

*One Hundred Years of the Monroe Doctrine, 1823-1923.* By DAVID Y. THOMAS, Ph.D., Professor of History and Political Science in the University of Arkansas. (New York: Macmillan Company. 1923. Pp. xii, 580. \$4.00.)

THE Secretary of Foreign Affairs of Brazil, Mr. Pacheco, speaking at Rio de Janeiro on the one-hundredth anniversary of the proclamation of the Monroe Doctrine, said: "At the present day there are thousands and thousands of volumes, a whole library, of eulogies and attacks upon the doctrine." Notwithstanding this profusion Dr. Thomas (who took his Ph.D. at Columbia in 1903) justifies the present volume by the paramount hold of the Monroe Doctrine on the imagination of our people, the occurrence of the centenary of its proclamation, and the fact that comparatively few know what it is.

Professor Thomas began his studies with the predilection of an American but ended with the aversion of a European for our doctrine. He has extended its scope much beyond the popular conception, which is simply that we announced that we would let Europe alone and required her to abstain from seeking new territory in or imposing her system upon the Americas.

Dr. Thomas in twenty-five chapters gives us a consecutive review of the subject, showing first the background, both historical and contemporaneous, then the doctrine as declared. This he reduces to six principles, as follows:

1. Non-colonization of America by European powers.
2. Non-interference by us with existing European colonies.
3. Non-participation by us in European wars or internal politics.
4. Recognition by us of *de facto* governments as legitimate.
5. Any attempt by European powers to extend their political system to any part of the two Americas or to oppress or control them in any manner to be considered dangerous to our peace and safety.
6. We to leave the new states of America to themselves and to hope others would do the same.

The policy of non-interference in Europe was but an iteration of that proclaimed from Washington's time. The non-colonization policy was aimed solely at Russia. Dr. Thomas finds contemporary Continental Europe was scornful, England enthusiastic, Latin America friendly but indifferent as to the declaration, and our own people sharply divided. He traces our action as to each of the policies announced, finding much inconsistency, and, in general, he states the course of our Department of State in a way to accent its errors. His references are, naturally, largely to Moore's *Digest*, Richardson's *Messages*, etc., and to the *Congressional Record*. The disapproval of our Secretaries of State is marked, general, and progressive. Matters of interference not only with Europe, but with Africa, Asia, and the Pacific, are discussed.

AM. HIST. REV., VOL. XXX.—II.

Dr. Thomas thinks that especially by the Lansing-Ishii Agreement, which he calls "ill-famed", and perhaps by the Four-Powers Treaty, we have recognized Japan's Monroe Doctrine in Asia.

He is politically a Democrat and evidently in sympathy with President Wilson's policy as to the League of Nations and the World Court. In his summary and conclusions he finds that the non-colonization feature has been fairly well enforced; that as to non-interference with existing European colonies, we never seriously broke our promise until we ejected Spain from Cuba and Porto Rico; that the first European political conference we participated in was the Moroccan Conference of 1880, but, besides minor ones, we of course participated in the Peace Conference of Paris, and in the Washington Conference, and Pacific Agreement; that we tend to such participation without responsibility in international settlements, and this he deplores.

In the recognition of *de facto* governments he finds us capricious and unfaithful to our promise, citing tardiness, for instance, as to Dom Miguel of Portugal and the Soviet government of Russia, and as to new Spanish-American states; and that in enforcing the requirement of non-interference by Europe in America we have varied greatly.

Our course in seeking to restore order and prosperity in Haiti and Santo Domingo is much disapproved, as well as that concerning Mexico. In our protection and regulation of the Caribbean states, he says, "some have seen the sinister shadow of economic Imperialism". He attributes the declaration of Monroe to self-interest, but thinks it undoubtedly has served a useful purpose for the Western hemisphere. "But", he adds, "*why maintain it to-day?*" The political system which we feared in 1823 has disappeared from Europe. If we have anything to fear on that score now, it is not from monarchy, but from Bolshevism", whose spread he attributes to propaganda, not conquest, and he finds its menace to Europe greater than to America.

He does not favor utter abandonment, but strongly sympathizes with President Wilson's wish to extend the doctrine to all nations. It is submitted that the theory that a league of nations is, as it were, an extension of the Monroe Doctrine to all mankind might be coupled with the claim that free love is merely a generous extension of the principles of holy matrimony. As Senator Lodge said of the Monroe Doctrine, "If you extend it to all the world, it ceases to exist, because it rests on nothing but the differentiation of the American Hemisphere from the rest of the world". Dr. Thomas seems to indulge a suspicious temper as to the good faith and disinterestedness of the statesmen of his own country. They are probably much like those of other countries, and discrimination against them should be avoided. Very considerable inconsistency in the administration of a wide general policy, announced to check a present menace a hundred years ago, was inevitable as different Presidents and secretaries interpreted and different situations affected

it. The inevitable merits toleration. It was not, as Dr. Thomas assumes, a contract, a promise, which bound this country irretrievably and from which any departure was a breach of faith. It was an important announcement of policy which has, in the main, survived a century of time "and it was nothing more".

Some minor errors of fact and of typography have been observed, and should be corrected in a later edition. Thus, at page 158, Hon. Henry White when a delegate at the Algeciras Conference is described as ambassador to Spain. It is submitted that he was at that time ambassador to Italy and was never ambassador to Spain. At page 412, the International Bureau (now the Pan American Union) is said to have been under the direction of Hon. John Barrett from 1917 to 1920. It is submitted that Mr. Barrett's benign rule began January 1, 1907, and extended to July 1, 1920. As for the proof-reader's slips, "campanies" for *companies* is noted on page 82; "at this joint" for *at this point* on page 97; and "*inexpungeable* foundation" on page 363 seems perhaps an error for *inexpugnable foundation*.

Upon the loose wrapper of the book there is printed this statement as to its contents: "It is the story of the endeavor of the United States to keep out of entangling alliances and at the same time preserve its rights throughout the world without resort to war." With that prudent, just, and humane attempt this reviewer confesses to an "inexpungeable" sympathy.

CHARLES NOBLE GREGORY.

*New Jersey Politics during the Period of the Civil War and Reconstruction.* By CHARLES MERRIAM KNAPP, Ph.D., Professor of History in Western Michigan State Normal School. (Geneva, N. Y.: W. F. Humphrey. 1924. Pp. v, 212. Paper, \$2.00; cloth, \$2.50.)

THIS volume on New Jersey politics is a doctoral dissertation exhibiting considerable research in newspaper files, and clears some minor points covering a brief period in the history of one of our states. It has never been quite plain why New Jersey held the political views which are fairly ascribed to it. Though it has been subject to many Quaker influences, which were at all times distinctly Abolitionist, though it adjoined communities which were very forward in seeing and combatting the evils of slavery, here was a black spot on the map of the North.

While Mr. Knapp in his monograph recognizes this fact, he still does not entirely clear up the problem. It would require a fuller study and one covering the ethnic strains of the people, no doubt, to arrive at any very satisfactory theory regarding the reactionary, if not stubborn, mind of the proverbial "Jerseyman". It is hinted that the fact may be due to the early Dutch settlements in the North; also that, as we have always heard, the counties numerousely populated in that part of the state

have shared the political feelings of the foreign elements which have given a social and political character to recent New York City. Yet other factors would likely be found to enter into the complex, if the examination of the subject were properly pursued.

The field which the author has selected for his study is narrow, and, while he has tried, in a praiseworthy way, to give the period a setting in relation to what preceded and what followed it, not much has been achieved in this direction. We are confirmed in our impressions, however, that New Jersey during the Civil War was one of the principal homes of the Copperhead. A vast number of men, on some account, were opposed to the abolition of slavery, the coercion of the South, the administration of Lincoln, the successful prosecution of hostilities. It is no very proud record, one can think, but here it is, and Mr. Knapp has set it down for what it is worth. He has turned to manuscript sources, the Reminiscences of Charles Perrin Smith, preserved in the New Jersey State Library at Trenton. We should think that they might well have been made use of in larger degree. Enough is quoted to create a wish that they might be published in their entirety. To have edited these papers would have been a more valuable historical service, it would seem, than to have compiled this volume. This is a task, however, which the author may be able to essay at a later time.

When the state, in the wave of enthusiasm with which the war was concluded, was released from reactionary control, it was swung over into the hands of a Philadelphia business man, Alexander G. Cattell, who put Robeson at the head of the Navy Department, and otherwise allied himself with the Grant administrations in a manner entirely characteristic of the politicians who surrounded that President. A closer connection between statesmanship and money-making than that which Cattell and Robeson established has in all probability never existed in the course of the history of our government. The New Jerseyman saw his state-rights idols go down in the war, to be replaced by the sordid individualism of adventurers whose only aim was to control the voters and seize the offices for the enrichment of themselves and their friends, all of which was somewhat disgustingly done in the name of loyalty to the Union. What his rather slow intellect thought of the revolution is expressed in his later returns, from time to time, to his ancient gods.

ELLIS PAXSON OBERHOLTZER.

*A History of Rutgers College, 1766-1924.* By WILLIAM H. S. DEMAREST, President of the College. (New Brunswick, N. J.: the College. 1924. Pp. x, 570. \$5.00.)

THE retiring president of Rutgers College has made not only every alumnus of the college but every student of eighteenth and early nineteenth century culture-history his beneficiary in writing this work. For it is valuable not only as a chapter in the history of higher education in

colonial and national America, but also for the light which it casts upon social and economic history as well. Rutgers College was founded at New Brunswick, New Jersey, in 1766, being the ninth college established in the colonies, and was originally named Queen's, as Columbia was King's College. Like others of the time, it owed its founding to clerical interest, for it was an institution of the Dutch Reformed Church and its students at first were almost wholly drawn from New Jersey and the valley of the Hudson. At the time of its establishment New Brunswick was an important place, commanding the ford of the Raritan between Philadelphia and New York, and at the head of navigation on the river, whose mouth at Perth Amboy opened a water route to Manhattan. In the time of the American Revolution the Raritan valley was the wheat belt of the country. The importance of the place is shown by the fact that New Brunswick was incorporated as a city as early as 1730 and actually two weeks before New York itself. The student of American history will probably be most interested in the fifth chapter, which relates the stirring history of the college during the Revolution, when Washington was frequently in or passed through New Brunswick, and when Cornwallis made it his winter quarters from January to June, 1777. Two graduates of the college at this time became famous. Simeon De Witt, class of 1776, became Washington's geographer and planned the fortifications and entrenchments at Yorktown, and was later surveyor general of the state of New York and one of the engineers of the Erie Canal. His friend Jeremiah Smith, of the class of 1775, a native of New Hampshire, became a distinguished lawyer in that state, a frequent rival before the bar of Webster and Mason and finally chief justice of New Hampshire. It is a singular evidence of the youth of the United States that Jeremiah Smith's son, another Jeremiah, long time professor of law in Harvard, was still living as late as 1921—a son of the Revolution. One passes over the change of the name of the college from Queen's to Rutgers in 1814 in honor of the modest benefactor who came to the financial rescue of the college in time of sore trial, which a lottery in 1812 had only slightly relieved. But mention deserves to be made of the famous class of 1836, which included among its members Joseph P. Bradley, later a justice of the United States Supreme Court and a member of the Electoral Commission which settled the Hayes-Tilden controversy, Frederick Frelinghuysen, United States senator and secretary of state, W. A. Newall, M. C., governor of New Jersey and founder of the United States Life Saving Service, and Cortlandt Parker, president of the American Bar Association. A not unimportant item to be observed is that Rutgers was among the first, if not the first, college in America to depart from the tradition that a college president must be a clergyman, when it elected A. Bruyn Hasbrouck, a lawyer of Kingston, New York, to the presidency in 1839. For the benefit of the student of American literature it may be added that one of this college's presidents, Dr. William H. Campbell, is



the original of Mrs. Margaret Deland's delightful character, Dr. Lavendar.

J. W. T.

*The Life and Public Services of Justin Smith Morrill.* By WILLIAM BELMONT PARKER. (Boston and New York: Houghton Mifflin Company. 1924. Pp. xi, 378. \$5.00.)

IN 1848 a country storekeeper in a Vermont village reached the advanced age of thirty-eight, and having acquired a modest competence he decided to retire from business and live the quiet life of a small farmer. At it turned out, however, Justin Smith Morrill's retirement was the beginning of his career. In 1854 he was elected to the House of Representatives where he stayed until 1866, and then to the Senate where he stayed until his death in 1898.

Justin Morrill's political creed was that of the Vermont Republican—mellowed, more than is usual, by ratiocination—a fact which is clearly portrayed in Mr. Parker's scholarly volume. Mr. Morrill was, for example, in season and out of season, an opponent of inflation. He was a stiff partizan on the subject of Reconstruction. He was one of the thirty-five senators who voted to convict Andrew Johnson. On the other hand, he favored the gentle Southern policy of President Hayes, stood by Cleveland on the issues of silver coinage and civil service reform, and was an anti-imperialist. Similarly, Morrill somewhat atoned for his connection with that hall of statuary in the Capitol by his energetic efforts in behalf of the Library of Congress.

There are other points in Morrill's career which Mr. Parker has well brought out. One is the Senator's remark about the Supreme Court at the time of the Dred Scott decision: "If in the course of a merciful Providence some of these judges should be removed from a world of sin, it would become us not to murmur." Another is an illuminating account of the passage of the Land-Grant College Acts, chapter XI. Yet another is the "skillful parliamentary" strategy by which the Morrill tariff of March 2, 1861, was put through the House without the impeding formality of any discussion by the opposition.

Mr. Parker's style is pleasantly unacademic without any strained attempt to achieve effects. An excellent example is a paragraph describing Morrill's burial-place:

Below in full view lies the village. There is the spot where he went to school and the pond where he slid in winter. There is the store where he began his course in business. There stretches the road that was familiar to his feet for eighty years, the road he followed when he went out to see the world and took contentedly on his return. There are the descendants of his friends and of his father's friends who climb the slope on Sundays to his grave and bring visitors who know of his life and honor his record. And there it is not difficult to imagine him repeating the words of Stevenson's epitaph, "Here I lie where I longed to be."

Mr. Parker does not hesitate, also, to violate some of the traditions by indicating the imperfections of his hero—as on pages 149, 164, and 213. The year 1839 should be replaced by 1858 (p. 300). One might wish to raise a query as to whether “had all the House or a majority been imbued with Morrill’s love of peace and willingness to be guided by reason, the bloodshed and waste of the [Civil] war might have been averted” (p. 118). The volume is a substantial addition to recent biographical history.

CHARLES R. LINGLEY.

*La Época de Rosas.* Con una Introducción sobre la Evolución Social Argentina por ERNESTO QUESADA, un Apéndice que contiene la Bibliografía Crítica, y precedida de un Ensayo sobre el Concepto de la Dictadura de Rosas por NARCISO BINAYÁN. [Edición de Jubileo en el XXV. Aniversario. Publicaciones del Instituto de Investigaciones Históricas, núm. XVIII.] (Buenos Aires: Jacobo Peuser. 1923. Pp. xcvi, 240.)

AMONG the dictators who figured during the troubled years that followed the attainment of independence by the former colonies of Spain in America, none has been an object of such violent controversy as Juan Manuel de Rosas, of Argentina. Up to the close of the nineteenth century, indeed, none was so execrated in his native land. Long after the fallen despot had fled to England, to express an opinion favorable to him was held tantamount to seditious utterance, if not worse. All that might be tolerated was to declare him a paranoiac. Any tale, however absurd or outrageous, about him or his performances was eagerly bandied about and correspondingly distorted until it lost the semblance even of likelihood.

In 1898 Ernesto Quesada, a jurist, historian, and publicist who had already won fame far beyond his own country, published an historical essay on Rosas which was regarded at the time as an amazingly bold piece of political heresy, despite the fact that to some extent he had prepared the reading public for it by several articles foreshadowing his main thesis. Patient years of previous study devoted to every sort of accessible documentary evidence and the application to it of an acutely judicial turn of mind enabled him to produce an interpretation of the life and environment of the dictator which belongs in the realm of the classical. Because of the flood of defamatory material extant and the willful destruction by the foes of Rosas of the archives and other papers which might have served in a measure to vindicate him, the task was an extremely difficult one. Instead of revamping the popular version of what happened or, tempted by the sheer contrariness of the polemist, of trying to transform a devil into a saint, he strove calmly and dispassionately to balance every current belief over against the probability of its truth.

The concept presented by the author is, in substance, that Rosas was simply a creature of his time, a personification of his epoch. In no respect does he justify the dictator's conduct on the assumption that Providence was either punishing the Argentinos for their sins or else purifying them in preparation for a happier national career. The masterful ranchman and his activities are depicted on the actual background of the period that he dominated, and his words and deeds are to be judged accordingly. That in the long run Rosas made possible the social and political foundation upon which later the structure of Argentine nationality was reared, is the contention of Dr. Quesada. No one who reads his work can doubt that he has sustained it most ably. So far as the compass of the essay and the data from which it is derived may permit, he has set the standard for the estimate of a great historical character.

The edition now published is a reprint of the original of 1898. It has been brought out under the general auspices of the Faculty of Philosophy and Letters of the University of Buenos Aires, in honor of Dr. Quesada on the twenty-fifth anniversary of the work's first appearance and on the occasion of his retirement from academic service. Preceding the essay proper are a survey of the conceptions of Rosas held by earlier writers and a sketch from the eminent historian's own hand of the social evolution of Argentina, which he composed in 1911. It is followed by a series of opinions, both Argentine and foreign, expressed about the book at the time and later, and by a bibliography of Dr. Quesada's works.

WILLIAM R. SHEPHERD.

#### MINOR NOTICES

*Das Recht im Bilde.* Von Hans Fehr. (Erlenbach-Zurich, Munich, and Leipzig, Eugen Rentsch, 1923, pp. 171, 194, plates.) This work is the first of a series of three volumes devoted to a history of medieval and early modern law from the evidence afforded by picture and poetry. The second and third volumes, which are yet to appear, are to be entitled respectively: *Recht in der Poesie* and *Die Poesie im Rechte*. The work under review has an interesting, if somewhat peculiar, value as a study in *Kulturgeschichte*. It might be vernacularly described as the "movies" of legal custom and procedure. For it is concerned with physical conduct or deportment in processes of the law, a subject of far greater significance in olden times than now.

At a certain stage of its history the life of every institution tends to crystallize into fixed forms and to employ stereotyped expressions; and of no institution is this disposition towards fixation more pronounced than of legal procedure. The technicality of law is proverbial. In modern times this is chiefly of a verbal nature and consists of the expert employment of words and phrases, whose accurate usage may make or mar the cause of the litigants. But in the Middle Ages, and well down to the eighteenth

century, before the invention of printing had multiplied the number of treatises on the law, before the state had become a work of art under the spread of the influence of the Italian renaissance, before cameralists, counsellors, and codifiers had executed their scientific work, when law was still local, feudal, personal, customary, municipal, but not yet national and state-made, the physical way in which legal procedure was conducted was of as much importance as the technical language employed. The deportment of judges and judged, of lawyers, jurymen, clerks, and notaries—gesture, pose, posture, walk, as well as talk—were all meticulously described, defined, prescribed. Little is left to-day of this punctilio and apparatus of the courts. About all which has survived in modern court procedure of this picturesque medievalism are the wigs and gowns of the judges, and the “Oyez, Oyez” of the clerk of the court. And these are vestigial remains only.

In such a subject as this, picture-presentation plays a large part. Quite one-half of this book is an album of pictures carefully selected from medieval illustrated manuscripts and early wood- and copper-plates derived from the mighty and musty old folios of the age of incunabula and the sixteenth century. The oldest pictures (two) are of the twelfth century, the latest shows the employment of prisoners as street-cleaners in St. Gall in the first quarter of the nineteenth century.

The historical work of the author is chiefly in the form of running explanation and commentary on these quaint—and sometimes repulsive—illustrations. Here are pictures of Hogarthian realism depicting ordeal, trial by battle, inquisitorial examination and torture of witnesses, together with an appalling gallery of pictures illustrative of methods of imposing penalties upon criminals.

Gibbon has a famous definition of history which, if there were no other evidence, would be largely justified by the evidence in this book. The strength and violence of our ancestors are copiously illustrated here, but of their wisdom, reason, justice, heart we learn nothing. For this is a work in picture and description of the brutish rather than of the manly actions and qualities of mankind. The gross barbarism and cruelty manifested in the pictures remind one of Foxe's *Book of Martyrs* or old Protestant histories of the Inquisition. In respect to subject-matter the two succeeding volumes will certainly be more attractive reading. The novelty of reading these dreary pages and of examining these repulsive illustrations soon wears off, and one begins to wonder if the author has not indulged to excess a peculiar form of antiquarianism.

JAMES WESTFALL THOMPSON.

*A Short History of International Intercourse.* By C. Delisle Burns. (London, Allen and Unwin; New York, Oxford University Press, 1924, pp. 159, unbound, 3 s. 6 d.; bound, 5 s.) This volume is not a history of the relations of governments, but a survey of the development of Euro-

pean civilization, emphasizing the contributions which the various nations have made in each age to the common culture of the time. The discussion is limited to periods of peace, since the effects of war upon human history, the author believes, have been adequately dealt with elsewhere. The culture of Europe, which has been essentially uniform in each stage of development, has been made up of elements from various races and nations, but "the main current of civilization has never run for long through one people or in one locality". The leadership has been taken at different times by Italy, by France, and by England; but even when one nation was making the main contribution to an age, others were usually leading in particular fields. The aim of the volume is to show the increasing social interdependence of nations, and from this fact, at the close, to emphasize the necessity for a corresponding interdependence in political matters, with a plea for the League of Nations.

The discussion of the League is too brief to be adequate. In regard to the creation of a league to prevent war, the author is incorrect when he says: "President Wilson . . . had come over to the Peace Conference without any definite plan for the structure of such a League" (p. 132).

There is little new in the book; the facts are for the most part familiar to the student of social history; but they are presented from the international rather than the usual national standpoint. The volume is valuable not so much for the material it contains, as for the arrangement of this material to stress the author's thesis: the interdependence of nations in the development of civilization.

GEORGE H. BLAKESLEE.

*Jerusalem: a Historical Sketch.* By Lionel Cust. Illustrated by Major Benton Fletcher. (London, A. and C. Black; New York, Macmillan Company, 1924, pp. x, 222, 7 s. 6 d.) This volume was written to provide an historical background for the twenty-four illustrations of scenes in and about Jerusalem by Major Benton Fletcher. These sketches in black and white are drawn with great skill and artistic beauty. The artist has left out many of the distracting details with which later constructions have encumbered the ancient sites. The result is a vivid portrait of the Holy City as it once was.

The text of the book is simply a popular compilation of historical facts. It does not claim nor possess originality. In the treatment of the Biblical period, the author seeks to blend the traditional and critical conclusions, but not with great success. His sketch of the recent history of Jerusalem is more satisfactory. For the critical historian the volume has only artistic value. For the general reader it furnishes on the whole a reliable outline of the many important and dramatic events that centre about the famous city; but in no respects does it supplant the standard two-volume history of Jerusalem by Sir George Adam Smith.

*L'Islam et les Races.* Par P. J. André, Capitaine d'Infanterie Coloniale. Tome Premier, *Les Origines, le Tronc, et la Greffe*; Tome Second, *Les Rameaux (Mouvements Régionaux et Sectes)*. (Paris, Librairie Orientaliste Paul Geuthner, pp. xxvi, 270; 325, 25 fr.) This work gives a general survey, especially from a social and political standpoint, of the history of Islam from its very beginning down to the present. The author has unusual qualifications for his difficult task, for, according to M. Henri Froidevaux, who has contributed an interesting preface to the work, Captain André has not only had excellent academic training, but has seen service in the Algerian Sahara, on the Arabian and African coasts of the Indian Ocean (including some of the islands, such as Socotra and Madagascar), in Morocco, and in Cilicia. He has already published elsewhere some of the results of his studies (see p. vi), and the present work shows that he has made good use of his opportunities for observation.

In addition to the preface by M. Froidevaux, a bibliography of about one hundred and twenty-five titles, and a table of the numbers of the Moslems in different parts of the world (approximate total in 1917, 246,920,000), the first volume contains a short introduction by the author and is divided into three parts. The first part is devoted to a sketch of the life of Mohammed, of the Koran, and of Moslem religious and legal doctrines; the second part to the history of the Caliphate down to 1258. The third part, which many will regard as the most interesting in the first volume, gives a sketch of the Turco-Mongolian conquest and of the various steps by which the Ottoman Turks became the champions of Islam, and the Ottoman sultan the Moslem caliph, and discusses the Eastern question of to-day (1922), etc.

Volume II. is divided into four parts, the first of which is entitled "Schisms and Sects". Of this part, chapter II., Mysticism in Islam, Sufism and the Religious Brotherhoods, is perhaps the most significant, especially what the author has to say about the religious brotherhoods. In the second part, "Regional Movements resulting from the Arabic Expansion", particular attention may be called to chapter VII., North Africa and Islam, especially to the account of the Berbers, and to chapter XII., Commercial Struggles of the Cross and the Crescent. The third part, "Regional Movements resulting from the Turco-Mongolian Expansion", has chapters on Islam in the Far East, Islam in Russia and in the Caucasus, Islam in the Indian Archipelago (Insulinde), Moslem India, etc. The fourth part is very short and is devoted to "General Conclusions and Impressions regarding Islam and its Present Tendencies".

Each volume is provided with a table of contents, but it is unfortunate that there is no general index.

In a work dealing with so great a field it is inevitable that some slips should be made, and naturally opinions will differ as to various matters of detail. The author has written primarily for his own countrymen,

from a standpoint frankly French, but he has written in a spirit of fairness, and both he and his publisher are to be congratulated on the publication of a work so well adapted to further a more intelligent understanding of the Moslem world of to-day.

J. R. JEWETT.

*Surrey Taxation Returns. Fifteenth and Tenth: Part A, The 1332 Assessment. (Exchequer, K. R., Subsidies 184/4.)* [Surrey Record Society, no. XVIII.] (London, for the Society, 1923, pp. liii, 64.) The present fascicle represents the initial step in the contemplated publication by the society of all those documents relating to Surrey which are deposited among the Lay and Clerical Subsidies preserved at the Public Record Office. It constitutes the first part of a volume designed to include the documents which deal with the tenths and fifteenth paid by laymen.

The introduction describes succinctly the classes of public records concerned with taxation, the characteristics of the principal document printed, and the administrative machinery employed in the assessment and collection of royal taxes on personal property. The last, which is from the pen of Professor Willard, occupies the major portion of the space. It is a masterly summary, such as might be expected from one who has made this his chosen field, of the modes of assessment and collection, the functions of the principal collectors and their assistants, and the process of their accounting at the Exchequer, as these existed in the fore part of the fourteenth century. An appendix of illustrative documents, chosen by him mainly from the memoranda rolls of the Exchequer, provides a valuable addition to our knowledge of the financial history of the period.

The main document is of a type which has found its way into print frequently. It contains little more than the names of the taxpayers, grouped by boroughs, hundreds, and vills, and the amounts due from each. Consequently it is of value chiefly for local history. So far as one may judge without reference to the original, it appears to have been edited with that scrupulous care associated with the names of the general editors, Messrs. Giuseppe and Jenkinson.

W. E. LUNT.

*Die Basis des Modernen Europas (Weltgeschichte von 1648-1789).* Von Ludwig Riess. (Munich and Berlin, R. Oldenbourg, 1923, pp. vii, 224, unbound, 3.50 M.; bound, 5 M.) The above title-page and the table of contents reveal the book's character. "Neuordnung des Staatensystems und Verfassungslebens", "Rokoko und Zopf in der Europäischen Kultur", "Pietismus und Philanthropismus in der Deutschen Kultur", show the emphasis on the constitutional and political with considerable space for the philosophical and cultural. It is a manual of world history



over a limited period, in which, in the absence of overmuch interpretative or deductive matter, the reader finds little to disagree with. The conclusions drawn must in general be the reader's, not the writer's. China, India, America, all come into the picture. Yet this manual seems a part of a book rather than an entity in itself. The beginning and end are abrupt, and one instinctively looks for other volumes to precede and follow.

The treatment, severely chronological—six chapters are divided into sections each covering a relatively brief period—enables the author to discuss comparatively and successfully such parallel series of events as those relating to the War of the Grand Alliance and the Turkish War (1683–1699), the War of the Spanish Succession and the Great Northern War, the development of the Near Eastern and Polish questions together (1768–1774). Painstakingly events widely separated are correlated: English naval officers ceased to help the Russians in 1774 after affairs in America began to be critical, and French officers left the Turkish armies after the death of Louis XV. (May 10, 1774), thereby paving the way for Turkish prostration. Controversial questions, such as the guilt for the beginning of the Seven Years' War, are left generally "umstrittensten" (p. 139), though Frederick II. is hardly absolved (see p. 139 and note, pp. 210–212), nor is he, either, in the first partition of Poland. Witness also the note on the Convention of Klein-Schnellendorf (p. 209), which does not handle the Prussian king any too gingerly.

Maps are conspicuously lacking; an index is dispensed with. In the table of dates, Rocroy is put down for 1653. In the table of rulers are some errors and some innocent pedantry. Under Russia, the first name and date are given as: Alexander I., 1646–1676. A few errors have crept into the text; Lexington and Concord (1775) are unduly fused (p. 168). Under *Quellen und Literatur*, the author gives various authorities including particularly seven volumes in Oncken's *Allgemeine Geschichte*. Gooch is cited, mainly for chronological tables however. A few others are known in English translation. Naturally the German would preponderate, but the absence of British authors is notable. Yet, in the *Anmerkungen und Anlagen*, Carlyle, Gardiner, Firth, and Morley, as well as Guizot, are cited under Oliver Cromwell, and on Louis XV. Chéruel and other French writers. The most interesting documents here are the Declaration of Independence of July 4, 1776 (pp. 214–216) in abridged German translation, and the Bill of Rights, printed in full (pp. 205–206).

ARTHUR I. ANDREWS.

*Edmund Burke und sein Politisches Arbeitsfeld in den Jahren 1760 bis 1790: ein Beitrag zur Geschichte der Liberalen Ideen und des Politischen Lebens in England.* Von Richmond Lennox. (Munich and Berlin, R. Oldenbourg, 1923, pp. xvi, 300, \$1.00.) To interpret Edmund

Burke and his political philosophy for the German reader is the purpose of this book. The author is primarily interested in Burke's political ideas, but for their better elucidation he devotes considerable attention to his personality and career, to the environment which produced him, and to the literary and political world in which he worked. Opposed to the pure theorist in politics, Burke was also against the unphilosophical, merely practical, politician. He held it the purpose of the speculative philosopher to determine the ends of the state, the work of the politician (who should be a philosopher in action) to find the right means leading to this end and to apply them: thus the author sums up the heart of Burke's political philosophy. His ideal of the English state was that of the Whigs. Though a philosophical liberal, he was conservative in believing that the English state rested not on any assumption of equal rights but on historic tradition. The English people, in his view, comprised politically the "respectable classes". This conservative side of his thinking was revealed most strongly by his attitude towards the French Revolution. Many of his liberal ideas failed of general acceptance by his own generation. Nevertheless those ideas lived on and were of far-reaching importance in their later effects.

Imperial-mindedness the author emphasizes as Burke's most significant quality. Not England alone, but the Empire, was the centre of his most important thinking. Convinced that neither war nor argument could end the American difficulty satisfactorily, he made the important point that freedom is not dependent on abstract right but that its mark is simply that people should deem themselves free. His ideal of the empire was that it should be conceived not as a centralized state but as a group of many states under a common head, whose people were not subjects of England but fellow-citizens with Englishmen at home. In this he was most characteristically a prophet of a later age. And in regard to the Asiatic empire, he stood forth in his charges against Hastings—charges which the author perceives were not all well founded—as the pre-eminent champion of ethical principles and humanitarian ideals in dealings with subject peoples.

The work is based upon a study of Burke's own writings and other political writings of his time as well as a full array of historians on the period. It is a careful and readable interpretation of Burke and his place as a political thinker. The volume is admirably printed and contains four reproductions of interesting political caricatures by Gillray.

REGINALD G. TROTTER.

*Samuel Oldknow and the Arkwrights: the Industrial Revolution at Stockport and Marple.* By George Unwin, Professor of Economic History in the University of Manchester; with Chapters by Arthur Hulme and George Taylor. [Publications of the University of Manchester, Economic History Series, no. 1.] (Manchester, University Press; Lon-

don and New York, Longmans, Green, and Company, 1924, pp. xvi, 260, 12 s. 6 d.) This book resulted from a fortunate accident—the discovery, in an old cotton mill, of an eighteenth-century manufacturer's records, apparently preserved accidentally in the first instance. These records include business letters, accounts, invoices, pay checks, etc., left by Samuel Oldknow, one of England's great early muslin manufacturers. They concern his business activities at Anderton and Stockport and in Mellor township. The extensive quotations that are given from the records are for the most part interesting, but are not as closely correlated with the narrative, not as adequately interpreted, as might be desired. The result is that the book seems somewhat heterogeneous, somewhat confused and uncertain of aim. Joint authorship may have accentuated the disunity. But the book has substantial merits. It makes available some of the newly discovered records in a field of historical research where the principal difficulty is scarcity of first-hand sources. It clears up certain obscurities in the interpretation of sources heretofore extensively used, particularly William Radcliffe's book and early passages in Robert Owen's autobiography. It points the way of progress toward a needed resurvey of the field of the early Industrial Revolution in England by setting an example in searching out and utilizing the less readily accessible but more intimate sources emanating directly from economic activities. Chiefly, the book conveys a sense of reality. Here is a little corner, at least, of English economic society of the period of the great transition which has been rescued from those conventional generalizations, impersonal agencies, and relentless forces which are commonly associated with the Industrial Revolution. The book may lack logical development and consistency of aim, but somehow there emerges from the pages so largely given over to accounts and business correspondence the personality of one of the great industrialists of the modern type.

We see Samuel Oldknow in his relations to the merchants, and particularly the bustling, hearty Sam Salte of London; to Arkwright and other manufacturers (though the information about Arkwright is hardly sufficient to justify the title); to the bankers; to his managers and work-people in cottage and factory; and to the significant changes of the time. The authors have utilized freely their intimate knowledge of local detail in a manner which has contributed to the sense of reality and authenticity pervading the book.

WITT BOWDEN.

*Report on the Manuscripts of Earl Bathurst, preserved at Cirencester Park.* [Historical Manuscripts Commission.] (London, H. M. Stationery Office, 1923, pp. xx, 788, 12 s. 6 d.) The collection of letters and of extracts from letters published in this report of the Historical Manuscripts Commission enriches the period covered by the career of the third Earl Bathurst with material of considerable interest. To describe

the letters less guardedly as important or even as valuable might be misleading. They will not lead to any revision of our knowledge of the time, but they do provide a supplementary documentation displaying the personal opinions and the unofficial views, often half-formed, of Lord Bathurst's Cabinet colleagues.

Included in the report are letters preserved at Cirencester going back actually to 1665; but consecutive correspondence begins after 1783 when Lord Bathurst, later the third earl, was made a lord of the Admiralty. It becomes voluminous after 1800, particularly between 1812 and 1828, when Bathurst served as secretary for war and the colonies. The range of subjects within the cognizance of a secretary for war and the colonies is extensive enough in itself, even though limited to the conduct of war and to foreign and colonial questions. Despite this, the miscellaneous character of the letters received and the multifarious detail involved defy topical analysis or grouping. But an index of seventy-one pages, prepared by Mr. Francis Bickley—who also selected and arranged the correspondence for publication—facilitates the use of the report. The index alone shows how strictly departmental most of the letters are; and the student interested in the industrial and political conditions of England will find in them nothing to turn to account. The Manchester Massacre, for example, is not mentioned, and "Orator" Hunt's name appears only because an early reformer in the province of Upper Canada was described by the provincial governor as a "Hunt". The Church of Scotland is mentioned, but only because of the agitation to have it established in the West Indies co-ordinately with the Church of England.

On the other hand there are letters from Pitt, Castlereagh, Canning, Liverpool, and Peel which are well worth having in print; and correspondence on the negotiations for ministerial positions, on the Peninsular campaigns, the War of 1812, the winding-up of the Napoleonic Wars, the Congress of Vienna, Napoleon at St. Helena, and upon imperial issues generally which repays perusal. Incidentally and indirectly the letters reveal the high regard in which Bathurst was held by his political associates, Tory and Whig alike, thus confirming a judgment which those must have formed of him who have utilized his official correspondence during his tenure of the Colonial Office.

C. E. FRYER.

*Reflections on the Napoleonic Legend.* By Albert Leon Guérard. (New York, Charles Scribner's Sons, 1924, pp. 276, \$3.75.) This volume is not a study of the personality of Napoleon, neither is it an historical study of the Napoleonic legend. It is precisely what its title indicates, a group of essays discussing several aspects of the Napoleonic legend; indeed, it is not impossible that the author chose the word "reflections" to indicate his unfriendly attitude as well as to describe his method of approach to his subject. Professor Guérard writes frankly as

a student and teacher of French literature, to whom matters historical and psychological are of keen interest but not of prime concern, though they play a large part in his subject. The essays are eminently readable, though occasional lapses into trivialities and journalistic mannerisms forbid qualifying the style as brilliant in spite of its persistently epigrammatic character.

To Professor Guérard the first Napoleon is a *bête noire*, whom he describes as "a common man on a gigantic scale" and whom he regards as an unfortunately (for France and the world) belated embodiment of autocracy. Nevertheless, he not only recognizes that the legend has nominated the Little Corsican as one of the most interesting personages in history, but he also confesses that he is not immune to the fascination of that remarkable "soldier of fortune *in excelsis*" whom he cannot dismiss with one epigram, or a thousand.

Assuming—no small assumption—that Washington "is soberly historical", he discusses "The Facts in the Case" under the three captions, "First in War", "First in Peace", and "First in the Hearts of his Countrymen". This section is stimulating reading because it compels the reader to question closely the reasons for his own estimate of Napoleon and also for the author's conception, which is too largely based on the unstable foundation of "might have beens". The other two sections, on the "Genesis and Growth of the Legend", and on the "Napoleonic Saga in French Literature", embody the author's chief contributions. Every one who finds Napoleon III. an interesting, indeed an elusive, personality will be grateful for the skillful comparison, between the uncle and the nephew—quite to the advantage of the nephew! In this comparison Professor Guérard is able to conceive Napoleon III. as an integral personality set in relation to his own generation and surroundings, but he is unable to see Napoleon I. in the same manner. He can excuse the faults of the nephew, but not those of the uncle. Herein lies the fundamental criticism of the book. Still it is a book that is worth while. The more "soberly historical" *Personality of Napoleon* by Dr. Holland Rose and this more lively volume might profitably be read as complements if not antidotes to one another.

GEORGE MATTHEW DUTCHER.

*The Development of China.* By Kenneth Scott Latourette, D. Willis James Professor of Missions in Yale University. Third edition, carefully revised. (Boston and New York, Houghton Mifflin Company, 1924, pp. xiv, 309, \$2.50.) This is a seventh impression, now revised, of the book first published in 1917, of which a review by the present writer appeared in the *American Historical Review*, XXII. 857-859. The revision consists of additions to the sixth chapter and a re-writing of the seventh chapter, the amendments and additions adding to the book thirty-two pages and bringing the narrative down to the

AM. HIST. REV., VOL. XXX.—12.

spring of 1924. At a number of places in the earlier portions of the text slight alterations of wording have been made. Additions have been made to the bibliography. This book has been well received and is widely known. It has been much in favor for class-room work. The revision will extend and increase its usefulness.

STANLEY K. HORNBECK.

*Religiosos de la Merced que pasaron á la América Española (1514-1777), con Documentos del Archivo General de Indias.* Por Fray Pedro Nolasco Pérez, Mercedario. (Seville, Tip. Zarzuela, 1924, pp. 493.) The religious and military Order of Mercy, known also as the Order of Our Lady of Ransom, was founded in 1218 by San Pedro Nolasco, a nobleman of Languedoc who fought the Albigensians, Raymond of Peñafort, and Jaime I. of Aragon. It adds to the three usual monastic vows that of dedicating property, liberty, and life to rescue of Christian captives of infidels. It had four provinces in Spain, several in other European countries, and eight in Spanish America.

Its labors in the Western hemisphere were educational and missionary. Though of comparatively minor importance among the religious organizations of the New World, its colleges were of accepted rank, its labors began early and lasted long, and its numbers were respectable. Father Pérez, the present historian, lists nearly eight hundred friars of the order who came to Spanish America before the apogee of the great Bourbon epoch. In his fifteen chapters he gives first those who came to the several governmental centres in the fifteenth, and then those who came in the sixteenth and seventeenth centuries. It is inevitable that few in such a list could have had marked importance to profane history, yet several of them were influential actors in the midst of the most remarkable episodes of the Conquest. Bartolomé de Olmedo, chaplain and counsellor of Cortés, Francisco de Bobadilla, friend and adviser of Pedrarias Dávila and arbitrator in the Almagro-Pizarro feud, may be cited as examples.

The modern literature of this order is exceedingly scanty, and the present contribution is therefore welcome. The biographical notes, for the most part brief, are almost entirely from the Archivo de Indias, in which the author has worked at his task eight years. He appropriately indicates that the book is only a collection of documents (p. 5) to be used as a basis for his forthcoming history of the order in America. It is to be expected that the proposal to write the history of the Mercedarian missions, and that of the bishops of the New World, for which his researches have yielded rich materials, will result in publications of wider appeal and interest to students of Spanish American history than the present volume.

The work has been painstakingly and accurately done. An interesting account is given of the *modus operandi* by which the friars got

from their convents in Spain to their mission fields, and of the supplies each one took with him to serve the purposes of his calling. The index notices only the names of the religious contained in the chapters.

H. I. PRIESTLEY.

*Henry Hudson's Reize onder Nederlandsche Vlag van Amsterdam naar Nova Zembla, Amerika, en terug naar Dartmouth in Engeland, 1609, volgens het Journaal van Robert Juet.* Uitgegeven door S. P. L'Honoré Naber. [Werken uitgegeven door de Linschoten-Vereeniging, XIX.] (The Hague, Martinus Nijhoff, 1921, pp. lxxix, 137, maps and plates, 15 gulden.) The policy of the Linschoten Society is to publish the accounts of the more important Dutch voyages of exploration and colonization which have now become inaccessible. Every expedition is to be considered only after its important predecessors have been thoroughly treated in critical editions. Dr. Naber's edition of Hudson's third voyage appears in logical sequence of his editions of Jan Huyghen van Linschoten's voyage in 1594-1595 to discover the northeast passage (vol. VIII., 1914), and of the various efforts of Barents, van Heemskerck, and Rijp from 1594 to 1597 (vol. XIV., 2 parts, 1917). The introduction to each of these volumes constitutes an excellent account of the Dutch efforts to reach China by the northeast passage and should accordingly be read to understand Hudson's voyage in 1609.

The introduction contains a critical statement of the circumstances which led to this venture. Dr. Naber traces the developments in the Arctic regions since the fatal winter of 1596 and 1597 when Barents lost his life in the Polar area and shows that when Hudson again took up the problem of reaching China by the northeast passage he was forced to rely mainly upon the achievements of Dutch navigators whose works had been published and accompanied with maps, data which were finally utilized in Hondius's revision of his celebrated globe in 1603. Accordingly the voyage was really a Dutch undertaking, a fact which has not been sufficiently comprehended.

Dr. Naber refuses to accept the views of Murphy and others after him who seek to justify Hudson's abandoning the attempt to reach China by sailing north of Nova Zembla (and very likely not through Vaigatch as is sometimes asserted) and, contrary to his instructions, steering for Newfoundland in an effort to discover the northwest passage. The motives will probably never be known, but it is certainly erroneous to suppose that the directors of the Dutch East India Company, and especially the able geographer Plancius, did not know conditions in Barents Sea.

The introduction also contains, besides a statement of the Hudson-Fulton celebration in 1909 and pictures of the *Halve Maen* sent on that occasion by the Dutch government, a review of the voyage itself, two excellent charts, and a discussion as to why Hudson entered the services



of the company. Juet's journal, which has repeatedly been reprinted, is here given in what may be regarded as a definitive edition and accompanied by an accurate Dutch translation and critical notes. The appendixes contain all known documents that have a bearing upon the expedition, a valuable service inasmuch as they are usually given in an abridged form. The proof-reading, composition, and care exercised throughout the volume are highly commendable, making this the best edition for all students of our colonial history.

HENRY S. LUCAS.

*Colonial Women of Affairs: a Study of Women in Business and the Professions in America before 1776.* By Elisabeth Anthony Dexter, Ph.D., Professor of History in Skidmore College. (Boston and New York, Houghton Mifflin Company, 1924, pp. xviii, 204, \$5.00.) This study applies the scientific method to a traditional subject with interesting results. How surprised and shocked our mothers would have been to learn that some day it would have to be proven scientifically that their grandmothers could and did at times earn their own livings. Mrs. Dexter, professor of history at Skidmore, does just this; she utilizes the sources possessed by the Annmary Brown Memorial at Providence and by the American Antiquarian Society at Worcester—largely newspapers—to demonstrate scientifically that the colonial dame frequently did establish her economic independence. Seven chapters, fortified with abundant foot-notes, set forth the following phases of woman's colonial economic activities: My Hostess of the Tavern, the "She-Merchant", the Artificer, the Ministering Angel, the School Dame, the Landed Proprietor, With Tongue, Pen, and Printer's Ink.

The fruits of Mrs. Dexter's research are to be found chiefly in her earlier chapters; the final chapters are the more interesting. They follow traditional lines and retell stories made familiar by writers such as Alice Morse Earle, stories of Mary and Margaret Brent, Sarah Goddard, Eliza Lucas, etc. The Brent sisters came to Maryland in 1638 as lords (or ladies?) of manors—Mary even held court-baron and court-leet. Governor Calvert left Margaret as his sole executor. Yet, despite her position, the "Howse" denied her a vote and a "voyce allso" therein. Here Mrs. Dexter might have cited the case of the Widow Penn, who became executrix to the whole property of Pennsylvania upon William Penn's death, even discharging the popular deputy Sir William Keith. So great was the power of colonial women.

Mrs. Dexter's work is but an introduction to her subject. She realizes that the information from her sources is "provokingly casual" and "consequently it would be futile from the material in hand to attempt any statistical conclusions, or even comparisons". Newspapers are of slight value as source-material for this period. They did not come into existence until 1704 and their contents were exceedingly meagre.

Narratives drawn therefrom read like a catalogue of the ships. Details and statistics must be supplied from colonial wills, colonial land-titles, colonial statutes, and, yes, indeed, old wives' tales. Many a grandmother is still possessed of a capacious store of colonial lore. Mrs. Dexter's study itself proves the value of this tradition. Not only has she drawn upon it herself but her whole work confirms another American tradition: "Our Colonial Mothers were as free and independent as were the Colonial Fathers."

EDWARD F. HUMPHREY.

*Augustus Baldwin Longstreet: a Study of the Development of Culture in the South.* By John Donald Wade. (New York, Macmillan Company, 1924, pp. ix, 392, \$2.50.) In a life of eighty crowded and cluttered years, Longstreet was by turns a lawyer, journalist, slave-master, Methodist minister, and president of four colleges; he was continually a politician, often a controversial pamphleteer, usually a hotspur, always a raconteur, and professionally a "native Georgian". As an author he was in a sense the founder of a school of realistic humor, though personally inclined to petulance. Merely to follow Longstreet's career in detail requires a somewhat bulky book; and the present one is swelled by an elaborate record and analysis of his *Georgia Scenes*. This feature with its setting doubtless evoked the subtitle, "A Study of the Development of Culture in the South"; but a less ambitious designation as a study of prose realism in Georgia would have been more fitting.

Professor Wade knows his man, but not so thoroughly his environment. He mislocates "Middle Georgia" by putting it below, instead of above, Augusta; and he overplays its pre-Victorian crudity, thereby making Longstreet's wife an impossible product of her origin. He is somewhat careless in small things, *e.g.*, writing "Longstreet's" visit for Lafayette's visit (p. 113). Errors in dates are much too numerous to list; and the chronology of secession (p. 339) is bad enough in implication to suggest the error in the date of Alabama secession in Drinkwater's *Robert E. Lee*. In compensation there are many enlightening incidental items, such as the note (p. 312) of Longstreet's chagrin at the refusal of the slaves in his custody "to live together as man and wife even after he had mated them with all the wisdom he could command". There is also a sprinkling of excellent philosophy, of which the following example (p. 59) must be quoted, not for its phrasing nor its pertinence, but for the sheer value of the thought: "As soon as economic conditions resulted in the bringing into the state of a great number of negroes, the instinct of the whites, alive to the fact that their racial integrity would be destroyed unless definite lines of cleavage should be set up, did actually set these lines up to such a degree that it is scarcely possible for a subsequent time to realize how much more

largely the whole phenomenon of race prejudice arises from questions of social expediency than from mere personal taboos." Despite its minor faults, the book is a clear, cogent, and illuminating treatment of significant themes.

ULRICH B. PHILLIPS.

*Intimate Character Sketches of Abraham Lincoln.* By Henry B. Rankin. With a Foreword by Ida M. Tarbell. (Philadelphia and London, J. B. Lippincott Company, 1924, pp. 344, \$3.00.) Miss Tarbell, who writes a preface to this volume, mentions that Mr. Rankin when he entered the law office of Lincoln and Herndon in 1856 was a youth under twenty. He was still there, evidently on a footing of great freedom and intimacy, when Lincoln left Springfield. From what the world knows of him in old age, it is safe to infer that he was an attractive youth, fine-grained, responsive, imaginative. All that is in the atmosphere of his previous volume, *Personal Recollections of Abraham Lincoln*, likewise in this volume. Consequently his recollections have a sympathetic, but not fulsome, enthusiasm that is very taking. The first volume, to be sure, contained the bulk of what he remembers, leaving for the present chiefly marginalia, repetitions, and a considerable number of supplemental anecdotes gathered from other people. There are also a number of suggestive comments. If now and then in some of his admirations he goes a little further than the world is likely to follow—as, for example, in regarding Mrs. Lincoln as a wonderful woman—these possible vagaries are few. Some of his biographical bits go straight under one's ribs. He remembers the very day on which, in the office, Herndon read aloud a passage from Theodore Parker containing a phrase that Lincoln never forgot, that is now remembered as if Lincoln's own—"of the people, for the people, by the people". There is a delightful bit recording an office discussion of *Leaves of Grass*, just then issued, and Lincoln's instantaneous recognition of its greatness. Like everyone else who has written of that remarkable office, Mr. Rankin, without intending to do so, leaves the impression that law was only one of its interests—whether vocation or avocation might be open to dispute. He adds a few illuminating details to the Cooper Union incident, enriches slightly the assemblage of significant Lincoln sayings, and has some convincing remarks explaining the relative inadequacies of all the first-hand Lincoln portraits.

N. W. S.

*A History of the Sixth Iowa Infantry.* By Henry H. Wright. (Iowa City, Iowa, State Historical Society of Iowa, 1923, pp. xii, 539.) This is a detailed story of the marches, campaigns, and battles of one of the famous Northern regiments during the War between the States, told from the viewpoint of the man in the ranks. The author

was "one of the eight men who accompanied the regiment through all of its four years of war experience". The book is based largely on the *Official Records* and on the *Reports of the Adjutant General of the State of Iowa*, supplemented by personal recollections and by war-time diaries and other contemporary data. Pride of membership and the pleasure of recollection and war-time associations are evident on every page.

The regiment's first pitched battle was Shiloh. After Shiloh it was engaged in guarding important posts, in marching here and there, and in supporting raiding expeditions until it went from Mississippi to Chattanooga in November, 1863, where it arrived in time to take its place in the Federal attacking columns. This narrative is one of the few Northern accounts that specifically give Cleburne credit for repulsing Sherman's attacks at the tunnel (pp. 236-238); it is based on bloody experience, not on hearsay.

After Chattanooga, active operations were not resumed until the spring of 1864 when Sherman began his advance to Atlanta. From this period until the close of the war the Sixth Iowa, with short intervals of rest, was engaged continuously in fighting and marching. There are many picturesque comments on Sherman's raid to the sea (pp. 358-359, 379) and on his march northwards from Savannah through the Carolinas (pp. 392, 399, 409). Only one engagement of any consequence is mentioned in the account of the movement from Atlanta to Savannah, and the march northwards from Savannah to Cheraw, South Carolina, was achieved "with scarcely any opposition" (p. 421). Indirectly the Confederates are completely absolved from the responsibility for the burning of Columbia, South Carolina.

It is recorded that the "sentiment in the army was so nearly unanimous for the re-election of Abraham Lincoln that organized opposition was not attempted" (p. 339). "General Sherman was the idol of his army and every man in it had the most implicit confidence in him as commander and leader. His soldiers loved him . . ." (p. 338).

On Christmas Day, 1864, the regiment mustered only 186 men present for duty as against 870 men so reported on August 1, 1861. Instead of having a fixed number of regiments recruited to fighting strength it was the policy to organize additional regiments from the new levies, so as to provide commissions for the "deserving politicians" and their supporters. Matters were ordered differently in the American army during the World War.

On the whole the reader will find this history reliable and he will be able to get a good conception of the point of view of the man in the ranks. It does not pretend to be a critical study of the military operations engaged in, but only a narrative of the regiment's participation. There are no maps; the printing and proof-reading are well done; the index is full and reasonably complete.

THOMAS ROBSON HAY.

*The Federal Reserve System: Legislation, Organization, and Operation.* By Henry Parker Willis, Secretary of the Federal Reserve Board, 1914-1918. With an Introduction by Honorable Carter Glass. (New York, Ronald Press Company, 1923, pp. xiv, 1765, \$10.00.) If this volume had been compressed to a third of its present size, its author would have secured a much wider circle of readers and given a more effective presentation of his subject. Professor Willis was the expert adviser of the House Committee which formulated the Federal Reserve Act, and subsequently for nearly five years held the office of secretary of the Federal Reserve Board. Unhappily, the abundant material at his disposal has been thrown together in such fashion as to produce what may be styled annals rather than a history of the establishment and early years of the reserve system. In particular, the latter half of the book consists largely of passages published from time to time in the *Federal Reserve Bulletin*, the monthly periodical issued by the Federal Reserve Board.

The Federal Reserve Act is unquestionably the most notable achievement of the first Wilson administration. The crisis of 1907 was followed by a period of active discussion of monetary and banking problems, and by 1912 it was generally agreed that a central banking agency of some kind afforded the surest means of correcting recognized defects in the banking system of the country. Traditional prejudices of long standing had been overcome, and discussion turned upon the form of organization and the scope of the powers to be granted. The final outcome was a most elaborate statute, since here, as elsewhere, Congress, reflecting public opinion, manifested decided unwillingness to rely upon administrative judgment and experience.

While the act was passing through successive legislative stages, widely diverse provisions were strongly urged both in and outside Congress, though the final outcome was not essentially unlike the bill introduced by the House Committee. Professor Willis devotes more than four hundred pages to this fragment of legislative history, presenting a narrative which is not only unduly extended but which in the judgment of the reviewer is open to serious criticism. The attitude of earnest defense of the provisions of the House bill, entirely proper while the measure was before Congress, has persisted, and in consequence the examination of alternative proposals and of the motives of those who urged them is somewhat lacking in judicial impartiality.

In conclusion, it may be observed that, although a detailed account of the origin and merits of the numerous specific provisions of the Federal Reserve Act is of value, there is danger that they may be assumed to be far more important than is warranted by their significance in practice. After all, the functions of central banks are everywhere similar and not difficult to understand. Amid great diversity in details of organization and powers, all central banks, including the reserve

banks, are empowered to grant credit in large volume, are not operated primarily for profit, accept responsibility for safeguarding the monetary and credit structure, and exercise influence in large measure through changes in discount rates. Large resources and able management are all that is absolutely essential.

O. M. W. SPRAGUE.

*Chicago's Highways, Old and New: from Indian Trail to Motor Road.* By Milo M. Quaife, with an introduction by Joy Morton. (Chicago, D. F. Keller and Company, 1923, pp. 278, \$3.00.) To the student of history Dr. Quaife's book is a reminder of the fact that in the United States one generation missed in its life the age-old romance of the great highway. For the present generation the automobile has recovered the delights of the long ribbon of road or the wayside tavern, and Dr. Quaife's book is an endeavor to bridge for them the gap which followed the days of the Conestoga wagon and the stage-coach. The book is more or less frankly a motor guide-book, the last fifty pages being a guide to points of historic interest surrounding Chicago. The earlier pages are a mass of anecdote regarding the older Chicago, the great routes of travel that led to it, and the incidents of the life led over them. The chapter headings tell a part of the story: the Vincennes Trace, the Road to Ottawa and the South West, the Thoroughfare to the Lead Mines, the Green Bay Road, the Commerce of the Prairies, Stage Coaches and Travel, Taverns and Tavern Life, Dangers of the Highway. There are a large number of excellent maps, including Albert A. Scharf's admirable map of the Indian villages and trails in the Chicago district. For the maps, for his illustrations and his incidents, Dr. Quaife has drawn largely on the stores of the Chicago Historical Society and even more on his own great knowledge of the region and its history. In the incidents he recounts in a book of this popular character he has of course not exercised the critical faculty so closely as he would have done in a more scholarly work. For instance, he quotes the journal of Richard Lee Mason's trip through southern Illinois in 1819. The present reviewer has always had a lurking suspicion that in his account of thrilling escapes from bandits Mason was drawing the long bow a little. For the purpose for which it is intended, Dr. Quaife's book is admirable.

*Kenyon College: its First Century.* By George Franklin Smythe. (New Haven, published for Kenyon College by the Yale University Press, 1924, pp. x, 349, \$5.00.) This book was prepared at the request of the Board of Trustees of Kenyon College on the occasion of the hundredth anniversary of the founding of that institution. Handsome in format and written with a commendable balance of enthusiasm and critical discernment, it forms a fitting memorial of the event. While Mr.

Smythe has obviously constructed his work on the sources, he has left very little of the documentary scaffolding in evidence. His justification is that the materials which he used will not be accessible to many of his readers, though he informs us that he has made notes on various papers at Gambier for those who care to consult them. Naturally a volume of this character will be of primary interest to Kenyon men, to Episcopalians, and to those who have some concern with church schools. Inevitably local incidents and men of restricted reputation have to be treated; nevertheless—in spite of certain unique features—the story of Kenyon is valuable as an illustration of a type of institution projected and carried on, in the teeth of all sorts of obstacles, by heroic pioneers with lofty ideals for the education of Christian gentlemen, lay as well as clerical.

Of course the familiar figure of Bishop Philander Chase, the founder, looms large, and his achievements and his character, with all its merits and the defects of its qualities, are fully and fearlessly treated. This is true also of that other outstanding personality, Bishop McIlvaine. We are told of the complicated system of government with which Kenyon was for many years burdened, of the friction between the executives and the professors, and of the sadly inadequate salaries often in arrears. This darker side of the picture is relieved by corresponding accounts of generous benefactions from Englishmen as well as Americans, of self-sacrifice and devotion on the part of those who have contributed their industry and their talents, and of a considerable number of students who have reached positions of distinction. All in all, this is a well-rounded and convincing outline of the struggles and achievements of a college which has attained a recognized place in the religious and educational life of the country. Apparently the work is unusually free from errors, though it is not correct to say that the late Major Bland was the only foreigner who ever held the presidency of the Oxford Union.

ARTHUR LYON CROSS.



## COMMUNICATION

*Editor, American Historical Review:*

To the criticisms of my book *Europe, 1450-1789*, by Professor Hulme in the July number, I am precluded from undertaking any reply in your pages since for the most part they are no more than expressions of opinion. As to one point especially alleged, however, I should like to say something further.

My understanding is that the idea of justification through the prevenient grace of God is contained in the thought of Augustine and others, and has never been denied by Catholic theologians; but that the Catholic Church has tended to stress the additional idea of justification by works, while Luther emphasized as all-important faith in or realization of God's grace made manifest in Christ. The two paths may be taken, of course, far divergent.

For some time after the Reformation began Charles V. and various ecclesiastics believed that Church and seceders might be again brought together. One of the most striking figures in this movement was Cardinal Gasparo Contarini, among whose writings was a treatise on justification (*Tractatus de Justificatione*). In 1541 a conference between Catholics and Protestants was held at Regensburg, and there a definition of justification was brought forward, perhaps by Contarini, that seemed acceptable to Lutherans: grace was the free gift of God, not merited by works. Five years later, when original sin, free will, and justification were discussed at the Council of Trent, the pope, Paul III., was determined to have repudiation of Lutheran doctrines. In the council, however, a few members maintained the doctrine of justification by faith alone, though their influence was not important. But a very considerable party upheld the mediating views that had been championed by Contarini and others, and at one time arguments of their leader, Seripando, seemed about to carry the council. That this was not done is thought to have resulted largely from the skill and dexterity of the Jesuits present. Even so, the definition of justification made by the council is very lengthy, and critics have considered it complex, and the ideas contained in it ambiguous and even conflicting.

The doctrine that ultimately declares salvation to come from the believer's attitude towards God rather than from works prescribed by the Church may not have been sufficiently stressed in my account. But that was from honest endeavor to do justice to the Catholic theological position. And it resulted from the difficulty of rendering simple and to a certain extent concrete for text-book readers something that has come down through long historical development and that involves much of ab-

stract ideas. The difficulty adhering to brief discussion of these problems well appears from a stricture pronounced by the reviewer: "How was it possible for the Council to consider the acceptance of a doctrine that automatically rendered the entire priesthood and all the sacraments unnecessary?" (XXIX. 758). Surely he knows that the Lutherans have the sacraments of baptism and the Lord's supper, which they regard as precious and necessary; and that their theologians, asserting the universal priesthood of believers, look upon the ministry as a necessary office. The Church of England has likewise these sacraments, and its ministers are officially, and often popularly, known as priests. Actually, priest (elder man), minister (lesser one), and pastor (shepherd) contain within themselves now less of intrinsic meaning than of connotation attached. If the reviewer should assert that very different conceptions have been developed with respect to sacrament and priest in different Christian churches, I shall certainly agree; but that is not asserted in his own categorical statement.

RAYMOND TURNER.

ANN ARBOR,  
July 31, 1924.

## HISTORICAL NEWS

If any who have numbers of the *American Historical Review* which they do not wish to keep will send them to the editorial office, 1140 Woodward Building, Washington, D. C., such gifts will be gratefully received, and can be used to good effect, in Europe or elsewhere. The costs of carriage will be defrayed by the *Review*, either by refunding postage or, in the case of consignments from a distance, by their being sent by express "collect".

Mention should be made in this place of the aid rendered to this section of the *Review* by Professor Eugene N. Curtis, of Goucher College, who has succeeded Professors Dutcher and Wriston in the work of exploiting for our pages those of the French, German, and Italian journals and pamphlets which come to us or are accessible to him.

### AMERICAN HISTORICAL ASSOCIATION

The American Historical Association will hold its thirty-ninth annual meeting at Richmond on Saturday, December 27, and Monday and Tuesday, December 29 and 30. The headquarters will be at the Jefferson Hotel. The first vice-president, Professor Charles M. Andrews, will read on the first evening an address on the Progress of History during the Lifetime of the Association. The business meeting will be held on Monday afternoon. On Wednesday, December 31, the local committee on arrangements has planned for the visitors an excursion to Williamsburg, Jamestown, and, it is hoped, Yorktown. The programme, so far as now completed, embraces sessions devoted to papers in ancient, medieval, modern, diplomatic, English, and colonial (especially Virginia) history, and, in later American history, to papers on the Problems of the Confederacy. There will be practical conferences, of the sort which has become customary, on the history of the Far East, on the work of archivists and of state and local historical societies, and on the problems of historical research in colleges remote from the large centres. There will be held joint meetings with the Agricultural History Society, devoted to its special subject, and with the Mississippi Valley Historical Association. Of luncheon conferences, one will concern the work of patriotic societies; the other, arranged for the first time on this occasion, will be a luncheon conference on Slavonic studies, held on Monday, December 29, at which the principal speaker will be Professor R. W. Seton-Watson of the University of London, the guest of honor. Correspondence in regard to this conference should be sent to Professor Arthur I. Andrews, 11 Atkins Place, Tufts College, Massachusetts. It is particularly requested by the Committee on the Programme that alumni breakfasts and luncheons

(189)

shall be so arranged as not to interfere with the programme of the Association.

The most distinctive feature of this meeting is the combination with it of an Anglo-American Conference of Professors of History, arranged by way of response to that which in July, 1921, was held at the University of London. A dozen eminent teachers of history from various British universities have consented to be present: Dr. Alexander J. Carlyle, of University College, Oxford; Dr. J. H. Clapham, of King's College, Cambridge; Dr. Hubert Hall, of the University of London; Miss Mary T. Hayden, professor in the National University of Ireland; Sir Richard Lodge, of Edinburgh; Sir John A. R. Marriott, of Oxford; Professor A. F. Pollard, of London; Professor F. M. Powicke, of Manchester; Principal C. Grant Robertson, of Birmingham; Professor R. W. Seton-Watson, of London; Major H. W. V. Temperley, of Peterhouse, Cambridge; and Professor C. K. Webster, of the University of Wales. Some of these have been invited to speak at a special session devoted to the question, What remains to be done in developing the History of the British Empire?; some in other sessions, according to their respective fields of interest. Of these scholars, Dr. Carlyle will be lecturing in America from October until Christmas, Mr. Webster from January until May, some of the others during the early part of January.

The programme, in its present form, seems very attractive, and the well-known hospitality of Richmond promises great pleasure to all who attend the meeting. It is expected that the printed programme will be sent out to all members about December 1.

There is a subcommittee of the Historical Manuscripts Commission on manuscripts coming from abroad into the United States. Any who have information regarding such importations are requested to send it promptly to the chairman of the subcommittee, Dr. Randolph G. Adams, at the William L. Clements Library, Ann Arbor, Michigan.

#### PERSONAL

Dr. Edwin E. Sparks, president of the Pennsylvania State College from 1908 to 1920, died there on June 15, at the age of nearly sixty-four. From 1890 to 1895 he was professor of history there, from 1895 to 1908 a member of the faculty of history in the University of Chicago. For three years, 1909-1912, he was a member of the Executive Council of the American Historical Association. He published *The Expansion of the American People* (1899), *The Men who made the Nation* (1900), and *The United States of America*, two volumes of historical interpretation (1904). Dr. Sparks was an accomplished and charming speaker, a most able executive, and a man whose goodness, geniality, and capacity for friendship had endeared him to an extraordinarily wide circle in Pennsylvania and throughout the country.

Frank F. Abbott, for seventeen years professor of Latin in the University of Chicago and for sixteen at Princeton, died in Switzerland on July 27, at the age of sixty-four. He was especially a student of Roman political institutions, and was often of assistance to this journal in that field. He was the author of *A History and Description of Roman Political Institutions* (1901), of *Society and Politics in Ancient Rome* (1909), and of other books on allied subjects, and edited and translated for the Carnegie Endowment for International Peace the *Advocatio Hispanica* of Alberico Gentili (1921).

President Richard F. Scholz of Reed College died on July 23, at the age of forty-four. He had been an assistant professor and associate professor of history in the University of California from 1908 to 1918, and a professor of history in the University of Washington from 1918 to 1921.

Jacob P. Dunn (b. 1855), secretary of the Indiana Historical Society since 1886, and author of *A History of Indiana* (1888), died on June 6.

The Master of Peterhouse, Cambridge, Sir Adolphus William Ward, died there on June 19, at the age of eighty-six. Educated in Germany as well as in England, he began historical publication more than a half-century ago with the English translation of Curtius. His first independent publication was his *History of English Dramatic Literature to the Death of Queen Anne* (1875). From 1866 to 1897 he was professor of history in Owens College, Manchester, later Victoria University, and at different times principal of the one and vice-chancellor of the other. He had been Master of Peterhouse since 1900. With others, he edited the *Cambridge Modern History*, the *Cambridge History of English Literature*, and the *Cambridge History of British Foreign Policy*, 29 volumes in all, and his *Collected Papers, Historical, Literary, and Miscellaneous*, published in 1921, amounted to five substantial volumes more. He was the chief presiding officer of the International Historical Congress of 1913 in London, and was widely esteemed as a man of benign and generous character, active to his last week in good works as well as in scholarship.

Professor Frederick J. Turner having retired from the chair in Harvard University which he has occupied since 1909, and having returned to Madison, Wis., the position of Fellow of the State Historical Society of Wisconsin has been created as an honorary post and has been in the first instance conferred upon Professor Turner.

A. W. Risley, professor of history in the New York State College for Teachers, who has just completed his sabbatical year studying post-war conditions in Europe, has returned to his work at Albany.

Mr. Elmer L. Craik, head of the department of history and political science in McPherson College, Kansas, has been made professor of history in Juniata College, Huntington, Pa.

An error was made in our last issue, in stating that Dr. Ivan E. McDougle of Sweet Briar College had been called to a chair of history in Goucher College. The position to which he has been called is that of associate professor of economics and sociology.

Mr. Charles F. West of Harvard University has been appointed professor of history and political science in Denison University.

Dr. A. T. Volwiler, who was called to Wittenberg College a year ago, has now been given a full professorship there. Mr. Volwiler's studies of George Croghan have been completed and will be published by the Arthur H. Clark Company.

On occasion of Professor James A. Woodburn's retirement from his professorship in Indiana University, it is planned to publish at some time during the coming academic year a volume of *Studies in American History* contributed by various of his former students.

Dr. Christopher B. Coleman has resigned the chair of history in Allegheny College and has become chairman of the Indiana Historical Commission.

Mr. F. Lee Benms, of Indiana University, has been promoted to the rank of associate professor of history.

Mr. J. G. Randall of the University of Illinois has been promoted to an associate professorship in that university.

At the University of Michigan, Mr. William A. Frayer has been given a full professorship and Dr. Arthur S. Aiton has been advanced to an assistant professorship of history.

Professor Thomas M. Marshall of Washington University has been elected secretary of the Missouri Historical Society. Mr. Marshall is at present engaged in editing for the society the letters of Frederick Bates, which it is expected will be published early in 1925. Dr. J. L. Mechan, formerly of Columbia University, has been appointed assistant professor of history in Washington University.

Professor Frank W. Pitman of Yale University has been granted leave of absence for the year 1924-1925 and will serve as professor of English and American history in Pomona College during that period.

#### GENERAL

*History* for July prints an address on *History and Literature*, by Dr. George M. Trevelyan; a survey of some Recent Contributions to the Early History of London, by Mr. A. H. Thomas, clerk of the records at Guildhall; and a paper on Parliamentary Analogies from the Channel Islands, by Mr. A. J. Eagleston.

The *Catholic Historical Review* for July has a paper by Rev. Francis S. Betten, S. J., on an Alleged Champion of the Sphericity of the Earth

in the Eighth Century (one Virgilius, described in a letter of Pope St. Zachary); one on the *Monumenta Germaniae Historica*, by W. M. T. Gamble; and one on the Countess Matilda of Tuscany, by Rev. F. M. Gillis, S. J.

Two new series of volumes to be put forth by Messrs. Benn of London are to be noted: a series of biographical studies of which the general editor is Mr. Philip Guedalla, and which will embrace books on Robert Owen, by G. D. H. Cole, on Palmerston, by Mr. Guedalla himself, on Disraeli, by D. L. Murray, on Parnell, by St. John Ervine, on George III., by R. R. Sedgwick, on John Stuart Mill, by A. L. Piercey, etc.; and a *Library of European Political Thought*, edited by Dr. Harold J. Laski, and comprising treatments of *Political Thought in the Middle Ages*, by Miss Eileen Power, of *Social Thought in the Middle Ages*, by Father Bede Jarrett, of *Social Thought in the Reformation Period*, by Rev. Dr. R. H. Murray, of *European Political Thought, 1610-1715*, by Dr. Laski, and of *French Political Thought in the Eighteenth Century*, by B. K. Martin.

Professor G. Elliot Smith's volume of essays, *The Evolution of Man* (Oxford University Press), will be welcomed by all students of the preliminaries of history, especially for his contributions to knowledge of the history of the development of the brain.

The firm of Putnam has brought out *A History of Political Ideas*, by C. R. Morris and Mary Morris.

Those interested in the technique of historical composition will find F. C. Roe's *Taine et l'Angleterre* (Paris, Champion, 1923, pp. viii, 209) critical and well documented, throwing light on Taine's method of assembling facts.

Among recent "separates" from the *Proceedings* of the British Academy (Oxford University Press) we have received a valuable paper on *The Early Correspondence of John of Salisbury*, by Dr. Reginald L. Poole, and a lecture on *The Philosophy of History*, by Professor Andrew Seth Pringle-Pattison of the University of Edinburgh, being the annual philosophical lecture delivered under the terms of the Henriette Hertz Trust.

The whole history of the practice of touching for the "King's evil" is related in a learned publication of the University of Strasbourg, *Les Rois Thaumaturges: Étude sur le Caractère Surnaturel attribué à la Puissance Royale, particulièrement en France et en Angleterre*, by Professor Marc Bloch.

Noteworthy articles in periodicals: J. C. Merriam, *History and Education* [convocation address] (George Washington University Bulletin, XXIII. 1); Georg Brodnitz, *Kontinentale und Insulare Staatsbildung* (Zeitschrift für die Gesamte Staatswissenschaft, LXXVIII. 1); Henri

AM. HIST. REV., VOL. XXX.—13.



Sée, *Remarques sur l'Évolution du Capitalisme et les Origines de la Grande Industrie* (Revue de Synthèse Historique, XXXVII.); Amelia Hertz, *L'Égypte sous les Quatres Premières Dynasties et l'Amérique Centrale; une Contribution à la Méthode de l'Histoire de la Civilisation*, II. (ibid.); H. D. Hazeltine, *Gossip about Legal History: Unpublished Letters of Maitland and Ames* (Cambridge Law Journal, II. 1).

#### ANCIENT HISTORY

General review: L. Delaporte, *Quelques récentes Publications relatives aux Hittites* (Revue de Synthèse Historique, XXXVII.).

Charles E. Wilbour (1833-1896), lawyer and printer, was for many years occupied with Egyptological researches, in New York, in Paris, and, during the winters from 1880 to 1896, in Egypt, and collected a notable library, which his heirs have presented to the Brooklyn Museum. The Museum now publishes, at their instance, a *Catalogue of the Egyptological Library and other Books from the Collection of the late Charles Edwin Wilbour* (pp. 795), compiled by William Burt Cook, jr. It analyzes transactions and periodicals, and will be of much use to students.

Van Groningen's *Le Gymnasiarque des Métropoles de l'Égypte Romaine* (Paris, Champion, 1924, pp. 164) is said to be an important study, founded on Greek papyri.

*Strabo on the Troad*, edited with translation and commentary by Dr. Walter Leaf (Cambridge University Press), is an edition of the first chapter of the thirteenth book of Strabo, prepared by England's foremost authority on the scenes of the *Iliad*, as a part of a more extended edition, projected by the Council of the Hellenic Society, of the portions of Strabo dealing with Asia Minor.

Mr. C. T. Seltman's *Athens: its History and Coinage before the Persian Invasion* (Cambridge University Press) is occupied chiefly with the lights which Athenian numismatics can cast on early Athenian history.

At the time of our going to press it has been announced that Signor Mario di Martino-Fusco, stated in the newspapers to be a professor in the University of Naples (though not mentioned in *Minerva* or the *Index Generalis*), has discovered manuscripts of the many lost books of Livy's *Roman History*.

The Cambridge University Press publishes a book on Etruria and Rome, a Thirlwall Prize Essay, by Rev. R. A. L. Fell, formerly of Trinity College. The Oxford University Press has published *Some Problems in Roman History: Ten Essays bearing on the Administrative and Legislative Work of Julius Caesar*, by Dr. E. G. Hardy, principal of Jesus College.

*Die Römer im Gebiete des Ehemaligen Oesterreich-Ungarn* by Ernst Nischer (Vienna, 1923, pp. 160) is a brief but clear exposition, with selected bibliography.

Messrs. Methuen of London publish a volume of lectures by S. C. Gayford entitled *Sacrifice and Priesthood*, treating of the Jewish sacrifices considered as a working system of religion at the beginning of the Christian era.

The first fascicle of a new critical edition of the *Codex Theodosianus* (Berlin, Weidmann, 1923, Bde. I.-VI.) could have come from no more competent hands than those of Paul Krüger, editor of the *Codex Justinianus* and an associate of Mommsen in this field, which has occupied him since 1877.

Noteworthy articles in periodicals: Emil Forrer, *Vorhomerische Griechen in den Keilschrifttexten von Boghasköi* (Mittheilungen der Deutschen Orientgesellschaft, 63); Pierre Waltz, *Les Artisans et leur Vie en Grèce, VII<sup>e</sup> et VI<sup>e</sup> Siècles*, concl.: *La Condition Sociale des Artisans* (Revue Historique, July); Curt Guratzsch, *Streitsätze zur Salamisfrage* (Klio, XIX. 2); P. Roussel, *Les Inscriptions de Délos, I.* (Journal des Savants, May); Paul Schnabel, *Die Begründung des Hellenistischen Königskultes durch Alexander* (Klio, XIX. 2).

#### EARLY CHURCH HISTORY

The resumption by J. P. Kirsch, E. Göller, and E. David of the *Römische Quartalschrift für Christliche Altertumskunde und für Kirchengeschichte*, founded by A. de Waal, will gratify specialists in those subjects; a fascicle of 128 pages has appeared for the years 1916-1922.

Rev. George Horner has prepared a literal translation of the *Pistis Sophia* from the Coptic manuscript in the British Museum, which will be published before long by the Society for the Promotion of Christian Knowledge.

Giuseppe Ghedini, *Lettere Cristiane dai Papiri Greci del III. e IV. Secolo* (Milan, Aegyptus, 1923, pp. xxviii, 376), embraces some forty letters which, without bearing on conspicuous events in the history of the Church, illustrate variously the inner life of the Christian community.

Noteworthy articles in periodicals: W. M. Calder, *Some Monuments of the Great Persecution* (Bulletin of the John Rylands Library, July).

#### MEDIEVAL HISTORY

*Studi Medievali*, edited by F. Novati from 1904 to 1913, finds a successor in *Nuovi Studi Medievali*, which, while dedicated primarily to medieval Latin language and literature, makes room for articles on various aspects of medieval history; it appears annually under the direction of Ezio Levi (Bologna, Zanichelli).

A new journal for Byzantine history, philology, and art will appear at the end of the current year under the title *Byzantion*, directed by Professors H. Grégoire of Brussels and P. Graindor of Ghent (Paris, Champion).

Students of palaeography and diplomatic will find useful illustrative material in two publications by the distinguished Italian medievalist, Luigi Schiaparelli: the one a collection of sources, *Raccolta di Documenti Latini*, I., *Documenti Romani* (Como, Nani, 1923) to accompany his *La Scrittura Latina nell' Età Romana*, published two years earlier, both in G. Ostinelli's series, *Auxilia ad Res Italicas Medii Aevi exquirendas in Usus Scholarum Instructa et Collecta*; the other a critical study of an eighth-century manuscript, *Il Codice 490 della Capitolare di Lucca e la Scuola Scrittoria Lucchese; Contributo allo Studio della Minuscola Pre-carolina in Italia* (*Studi e Testi*, Rome, Bibl. Vatic., 1924).

In 1916 Columbia University put forth, as part 1 of vol. LXVIII. of its *Studies in History*, etc., the first half of a translation from the Arabic of al-Balādhuri's Mohammedan history under the title *The Origins of the Islamic State*. That part was translated by Dr. Philip K. Hitti. The second part, translated by Dr. Francis C. Murgotten, of the University of Nevada, is now brought out (pp. xii, 297).

A large book, representing much research in medieval records and much reading in medieval poems and romances, is *A Knight's Life in the Days of Chivalry*, by Walter C. Meller of St. John's College, Oxford (London, T. W. Laurie), the various chapters of which illustrate every aspect of medieval knighthood.

The Oxford University Press announces an edition, by Beatrice A. Lees, of the anonymous account of the First Crusade entitled *Gesta Francorum et Aliorum Hierosolymitarum*.

Noteworthy articles in periodicals: Erich Caspar, *Gregor VII. in seinen Briefen* (*Historische Zeitschrift*, CXXX. 1); E. Ruffini Avondo, *Il Difensor Pacis di Marsilio da Padova* (*Rivista Storica Italiana*, April).

#### MODERN EUROPEAN HISTORY

The recent beatification of Cardinal Bellarmin, not accomplished without controversy, has given occasion for several useful writings respecting him, of which we mention *Il Beato Roberto Bellarmino: Esame delle nuove Accuse contro la sua Santità* (Rome, Grafia, 1923, pp. vii, 187), by Father Pietro Tacchi Venturi, S.J., and the second edition of E. Raitz von Frentz, *Der Selige Kardinal Robert Bellarmin S.J. als ein Vorkämpfer für Kirche und Papsttum, 1542-1621* (Freiburg i. Br., Herder, 1923, pp. xiii, 231).

After consultation of documents preserved in the Vatican Library, the Bibliothèque Nationale, and elsewhere, the Signorina Maria d'Angelo,

who has already studied the relations of Louis XIV. and the Holy See, now presents a conscientious life of one of the leading ecclesiastics at the papal court during that period, *Il Cardinale Girolamo Casanate, 1620-1700* (Rome, Grafia, 1923, pp. 216).

Professor Erich Marcks finds the relations of *England und Frankreich während der Letzten Jahrhunderte* (Stuttgart, Deutsche Verlags-Anstalt, 1923) normally those of opposition, with only intervals of political friendship.

*Les Lettres de Catherine II. au Prince de Ligne, 1780-1796* (Paris, Van Oest, 1924, pp. 240), published with notes by the Princess Charles de Ligne, makes a definite appeal to students of the eighteenth century.

Dr. G. P. Gooch, in the preface to his *History of Modern Europe, 1878-1919*, states that his work was planned "as a continuation of Fyffe's admirable *History of Modern Europe, 1792-1878*, the colours of which are as fresh to-day as when they were painted". The latter work, which was originally published in three volumes (1880-1889), and in a popular edition of one volume (1895), now appears in two volumes (Cassell), uniform with Dr. Gooch's sequel.

Messrs. Hutchinson of London are publishing this autumn translations into English of the memoirs of Count von Waldersee (*A Field-Marshal's Memoirs*, condensed); of *My Reminiscences*, by Prince Serge Wolkonsky, covering sixty years of Russian life at court and elsewhere; and of M. Ribot's *Letters to a Friend*, relating his experiences as Minister of Finance and of Foreign Affairs in France, 1914-1917.

Mr. Ira N. Morris's account of his diplomatic experiences in Sweden, of which the Swedish version was mentioned in our last number (XXIX. 829), is also published in English, under the title *From an American Legation* (New York, A. A. Knopf).

In our January number (XXIX. 395) we gave a brief account of *Las Actividades de la Liga de las Naciones*, by His Excellency Señor Cosme de la Torriente, Cuban, ambassador to the United States, and president of the Fourth Assembly. Señor de la Torriente has now followed this with a special volume on that meeting, *La Cuarta Asamblea de la Liga de las Naciones* (Havana, Rambla, Bouza and Co., pp. 175), describing its proceedings in detail, and giving the text of all resolutions, decisions, and recommendations, and some addresses. Not only the doings of the Fourth Assembly, but those of the 23d-27th sessions of the Council, and indeed of all the organs of the League, during the year 1923, are carefully and systematically described, from official sources, in the *Fourth Year-Book of the League of Nations and Chronicle of related International Events* (Brooklyn, *Daily Eagle*, pp. 440), prepared by Dr. Charles H. Levermore.

The publishers of Dr. Isaiah Bowman's *The New World: Problems in Political Geography* (Yonkers, World Book Company) have put out a supplement of 112 pages supplying later information, up to 1924, especially concerning the situation of the United States.

A number of problems in quite recent history, treated by the Vicomte de Guichen in a series of lectures before the Académie des Sciences Morales et Politiques, form the subject-matter of a volume entitled *Du Rhin à la Vistule; Questions d'Histoire Diplomatique Contemporaine* (Paris, Attinger, 1923, pp. 294). Here are discussed the problem of central Europe, Russo-German political relations from the nineteenth to the twentieth century, Russo-German commercial relations and the German agrarian problem, Poland from the diplomatic and economic points of view, the evolution of Russian policy from the nineteenth to the twentieth century, the evolution of German policy from the eighteenth century to 1870, the question of Bavaria during and after the World War.

Noteworthy articles in periodicals: Halvdan Koht, *Le Problème des Origines de la Renaissance* (Revue de Synthèse Historique, XXXVII.); Victorien Sardou, *Érasme et ses Colloques* (Revue des Deux Mondes, June 1); F. Charles-Roux, *L'Isthme de Suez et les Rivalités Européennes au XVI<sup>e</sup> Siècle* (Revue de l'Histoire des Colonies Françaises, 1924, 2); H. de Montbas, *Relations Franco-Suisses au XVII<sup>e</sup> Siècle*, I., concl. (Revue de Paris, June 15, July 1); Alfred de Curzon, *Les Français en Angleterre; les Prisonniers de Guerre Français à Liverpool au XVIII<sup>e</sup> Siècle et au Début du XIX<sup>e</sup> Siècle, 1756-1803*, I. (Nouvelle Revue, July 15); Geoffroy de Grandmaison, *Masséna en Portugal, 1810-1811* (Revue des Questions Historiques, July); J. Dontenville, *Les Traités de 1815*, concl. (Nouvelle Revue, May 15); Matteo Mazzioti, *Il più grande Benefattore dell'Italia; Napoleone III.* (Nuova Antologia, May 1); Joachim Kühn, *Après Sedan: Bismarck et Napoléon III.*, I. (Revue des Études Napoléoniennes, July); Hajo Holborn, *Bismarck und Schuwalow im Jahre 1875: Aktenstücke* (Historische Zeitschrift, CXXX. 2); Émile Bourgeois, *L'Allemagne et la France au Printemps de 1887, d'après des Documents Nouveaux* (Revue des Sciences Politiques, January-March); L. Raschdau, *Zur Vorgeschichte des Rückversicherungsvertrages* (Deutsche Rundschau, May); Élie Halévy, *Les Origines de l'Entente* (Revue de Paris, May 15).

#### THE WORLD WAR

An instrument of great value to historians of the World War is the *Catalogue Méthodique du Fonds Allemand des Bibliothèque et Musée de la Guerre*, published by the Société d'Histoire de la Guerre Mondiale under the direction of Jean Dubois with the collaboration of Charles Appuhn (Paris, Chiron and Costes, 1922-1923, 4 vols.). These volumes contain upwards of twenty-three thousand titles of publications appearing in the central empires from August 1, 1914, to July 31, 1921. They

are arranged in appropriate classifications, the catalogue being in fact a repertory, drawn up with great skill. The *Catalogue Méthodique du Fonds Italien de la Bibliothèque et du Musée de la Guerre*, compiled by Paul-Henri Michel (Paris, Costes, 1924, pp. 468), published by the same society, is of similar usefulness.

The Carnegie Endowment for International Peace, Division of International Law, has added greatly to the services it has already rendered to American students of World War history, by publishing unabridged translations of two of the most important collections of original documents which have been put forth, with such notable public spirit, by the government of the German republic, *Die Deutschen Dokumente zum Kriegsausbruch*, ed. Kautsky, Schücking, Montgelas, and Mendelssohn-Bartholdy (1919), commonly called the Kautsky Documents, and the *Vorgeschichte des Waffenstillstandes* (same year). The former of these translations combines four volumes into one under the title *Outbreak of the World War: German Documents collected by Karl Kautsky*, etc. (New York, Oxford University Press, pp. vi, 688). The lesser book is entitled *Preliminary History of the Armistice: Official Documents published by the German National Chancellery* (*ibid.*, pp. xii, 163).

The fifteenth and sixteenth volumes of M. Gabriel Hanotaux's *Histoire Illustrée de la Guerre de 1914* (Paris, Gounouilhou), cover some eighteen months, from the close of the battle of the Somme in 1916 to the German offensive against the Chemin des Dames in May, 1918.

General Buat's *Hindenburg et Ludendorff, Stratèges* (Paris, Berger-Levrault, 1923, pp. viii, 252) is interesting as a technical study of the German school of war from the standpoint of its chief European rival.

Generaloberst Baron Arz was chief of the Austrian General Staff from February, 1917, to the end of the Great War, succeeding Field-Marshal Conrad in that office. His volume, *Zur Geschichte des Grossen Krieges 1914-1918* (Vienna, Rikola, pp. 380), deals mostly with the warfare against Russia and Rumania in the period before 1917, but mostly with operations in Italy after the author became chief of staff.

General Max Hoffmann's *Der Krieg der Versäumten Gelegenheiten* (Munich, Verlag für Kulturpolitik) is a book of valuable military reminiscences by one who was senior General Staff officer on the German east front under von Prittwitz and Hindenburg, and then succeeded Ludendorff as chief of the General Staff East when the latter became First Quartermaster-General.

*Nel Tempo della Tormenta* by A. Gatti (Milan, Mondadori, 1923) is a book of essays, revealing the Italian standpoint toward certain aspects of the World War. *Studi Storico-Militari sulla Guerra Italo-Austro-Ungarica* (Turin, Casanova, 1923, 2 vols.) is, on the other hand, a series of unfinished technical studies, the posthumous work of General V.

Murari, formerly professor of military geography in the Scuola di Guerra.

*The Navy in the Dardanelles Campaign* (London, Hodder and Stoughton), by Admiral of the Fleet Lord Wester-Wemyss, is a naval commander's narrative quoting copiously from contemporary correspondence and diaries, with valuable professional comments; and is an important contribution to historical knowledge.

The Naval War College's annual volume for 1922 of *International Law: Decisions and Notes* (Washington, Government Printing Office, 1924, pp. 212) is filled with the texts of decisions in prize cases made during the World War, mainly by foreign courts.

The house of John Murray is just now publishing, in the *Official History of the Great War*, the second volume of Archibald Hurd's work on *The Merchant Navy*, extending from the early months of 1915 to the eve of the German declaration of "unrestricted submarine warfare", Feb. 1, 1917.

Col. W. Nicolai, who during the war was chief of the German Intelligence Service, and who in 1920 published a volume on its operations, *Nachrichtendienst, Presse, und Volksstimmung im Weltkriege*, has now followed it with a further volume on *Geheime Mächte: Internationale Spionage und ihre Bekämpfung im Weltkriege und Heute* (Leipzig, Koehler) in which he treats of the general subject of spies in the secret service, not only of Germany but, of course with less authority, of other countries.

Noteworthy articles in periodicals: August Bach, *Irreführung der Oeffentlichen Meinung durch das Französische Gelbbuch 1914* (Die Kriegsschuldfrage, May); C. L. Hartmann, *Die Russischen Archive und der Weltkrieg, mit bisher unveröffentlichten Geheimbriefen*, I., II. (Deutsche Rundschau, June, July); W. Suchomlinoff, *Ergänzungen und Betrachtungen zu meinen "Erinnerungen" und den "Tagesaufzeichnungen des Russischen Aussenministeriums"* (Die Kriegsschuldfrage, July); E. W. Fischer, *Die Verhandlungen über die Saarfrage auf der Pariser Friedenskonferenz* (Preussische Jahrbücher, May).

#### GREAT BRITAIN

General review: Charles Bémont, *Histoire de Grande-Bretagne*, I. *Documents* (Revue Historique, May-June).

In its July number the *English Historical Review* begins the practice, which it undertakes to follow annually in its July number, of printing a list of important articles published during the preceding calendar year on medieval and modern European history. The present compilation lists, sometimes with a few words of explanation, some 700 articles in various journals. American history is regarded as adequately covered by the annual *Writings on American History*.



The introduction to the survey of English place-names which the English Place-Name Society has in preparation will shortly be published in two volumes edited by Professor Allen Mawer entitled *The Chief Elements used in English Place-Names* (Cambridge University Press), intended to contain matter common to all or many of the counties, on which individual volumes will later be published.

The volume on *The Roman Occupation of Britain* (Clarendon Press) by the late Professor Haverfield, of which mention has been made before in these pages, consists, it should have been noted, of his Ford Lectures of 1911 on that subject, revised from his manuscript by Dr. George Macdonald in such a manner as to indicate the additional data and results acquired, at this and that point, during the years which have intervened.

The visit of the American Bar Association to London will no doubt draw an especial degree of attention to *The History of the Temple (London) from the Institution of the Order of Knights of the Temple to the Close of the Stuart Period* (London, Murray), prepared with excellent care from the original records of the two societies of the Temple by J. Bruce Williamson. A somewhat more popular but competent history, supplementing this, is *The Story of Our Inns of Court*, by Sir Plunket Barton, Charles Benham, and Francis Watt (London, G. T. Foulis, pp. 320). Meanwhile, the committee of Lloyd's publishes this autumn a history of the English prize courts, written by E. S. Roscoe, the learned register of the present court.

The authorship of certain thirteenth-century Latin poems concerning Richard I. and John, kings of England, is among the matters discussed by Edmond Faral in *Les Arts Poétiques du XII<sup>e</sup> et du XIII<sup>e</sup> Siècle* (*Bibliothèque des Hautes Études*, Paris, Champion, 1924, pp. xvi, 384).

The University of London is making a welcome addition to its series of historical source-books by the publication of *Tudor Economic Documents, being Select Documents illustrating the Economic and Social History of Tudor England*, edited by R. H. Tawney and Miss Eileen Power. There will be three volumes, of which the first is nearly ready.

H. M. Stationery Office has now issued the third volume of the *Diary of the First Earl of Egmont*, concluding the diary with the year 1746, and edited, like its predecessors, so valuable for early Georgia history, by Mr. R. A. Roberts, formerly secretary of the Historical Manuscripts Commission.

It may be noted that the Townshend Papers, calendared in a whole volume of the *Reports* of the Historical Manuscripts Commission (*Eleventh Report*, appendix, part IV., 1887), important for the history of the Seven Years' War, were sold by auction in London at Sotheby's in July.

*England im Zeitalter der Bürgerlichen Reform* (Berlin, Deutsche Verlags-Anstalt), by Bernard Guttman, is an intelligent and fair-minded

effort to indicate the dominant motives and characteristics of English public life, from the middle of the eighteenth century to the middle of the nineteenth, and thereby to explain English stability and progress.

A second series of *The Letters of Queen Victoria*, edited by George E. Buckle, is to be published this autumn by John Murray, in two volumes, which will embrace a selection from her correspondence and journals from 1861, where the series published in 1907 ended, to 1878.

The Oxford University Press is about to publish a little volume entitled *The English Constitution in Transition, 1910-1924*, by Sir J. A. R. Marriott of Oxford, M. P. for York.

In Professor Shotwell's series (Carnegie Endowment) a recent addition is *Experiments in State Control at the War Office and the Ministry of Food* (Oxford University Press), by E. M. H. Lloyd.

Mr. R. R. Enfield's *The Agricultural Crisis, 1920-1923* (Longmans), is an acute economist's study of the misfortunes of the English farmer in those years, but considers them in connection with parallel phenomena in America and elsewhere in the world, and seeks explanations applicable to the whole situation.

Vol. III. (K-R) of the first part of J. and J. A. Venn's *Alumni Cantabrigienses* has been published by the Cambridge University Press. In its 504 pages of rather fine print it presents the academic and other records of some 20,000 graduates of the period preceding 1751. Executed with the greatest care, it, with its companion volumes, forms a reference work of extraordinary value to the student.

The Corporation of Leicester has followed Miss Bateson's well-known volumes by further *Records of the Borough of Leicester* (Cambridge University Press), being a series of extracts from the archives of the corporation, 1603-1688, edited by Miss Helen Stocks.

The *Scottish Historical Review* for July contains two important papers, one by Mr. J. D. Mackie of St. Andrews, on the Secret Diplomacy of King James VI. in Italy prior to his Accession to the English Throne, and one by Mr. G. P. Insh, on the Founding of the Company of Scotland trading to Africa and the Indies (Darien Company).

*A History of the Parliaments of Scotland*, by Professor Robert S. Rait, historiographer royal for Scotland, is just now published in Glasgow by Messrs. MacLehose and Jackson.

Noteworthy articles in periodicals: Sir John C. Fox, *The Originals of the Great Charter of 1215* (English Historical Review, July); David Mathew, *The Cornish and Welsh Pirates in the Reign of Elizabeth* (*ibid.*); C. L. Grose, *The Anglo-Dutch Alliance of 1678*, I. (*ibid.*); P. E. Roberts, *Warren Hastings and his Accusers* (Journal of Indian History, III. 1); B. E. Schmitt, *British Foreign Policy* (Political Science Quarterly, June); G. Roloff, *Zur Englischen Politik im Juli 1914* (His-

torische Zeitschrift, CXXX. 2); Adm. Sir Cyprian Bridge, *England's War Preparations: Some Personal Experiences* (Die Kriegsschuldfrage, July).

#### IRELAND AND THE DOMINIONS

(For Canada, see p. 222; for India, see p. 210.)

Noteworthy articles in periodicals: E. C. R. Armstrong, *The La Tène Period in Ireland* (Journal of the Royal Society of Antiquaries of Ireland, LIII. 1 and 2).

#### FRANCE

General review: Henri Hauser, *Histoire de France, Époque Moderne jusqu'en 1660* (Revue Historique, May); G. Pagès, *Histoire de France, de 1660 à 1789*, I. (*ibid.*, July).

Among recent publications of importance is the volume of P. Caron and H. Stein's *Répertoire Bibliographique de l'Histoire de France* for the years 1920 and 1921 (Paris, Picard, 1924, pp. 284). There are but five hundred copies in this edition, of which only three hundred are on sale. The volume for 1922 and 1923 is nearly ready for press.

The third issue in the excellent series *Les Classiques de l'Histoire de France au Moyen Age* (Champion) is an edition of the *Mémoires* of Philippe de Commines, by Professor Joseph Calmette of Toulouse. It will consist of three handy little volumes, of which the first, embracing books I-III, has appeared. The text is based on the manuscript, not hitherto reproduced, in the Musée Dobrée at Nantes—i.e., to the end of book VI., where that manuscript ends.

Vol. XXXIX. of the *Bibliothèque du XV<sup>e</sup> Siècle* consists of thirty-eight entire and some seventy partial discourses of the eloquent Cordelier Menot, permitting for the first time an adequate estimate of his work. M. Joseph Nève writes the introduction to the volume, which bears the title, *Sermons Choisis de Michel Menot, 1508-1518* (Paris, Champion, 1924, pp. lxxvi, 534).

The latest addition to the publications of the Société de l'Histoire de France is the second volume of the *Mémoires du Maréchal de Florange*, covering the years from 1521 to 1585 and edited by Robert Goubaux and P. André Lemoisne (Paris, Champion, 1924, pp. xxxii, 336).

In *Le Duc et le Roi; d'Épernon, Henri IV., Louis XIII.* (Paris, Perrin, 1924, pp. xi, 306), Léo Mouton traces the gradual decline of Henry III.'s favorite during the next two reigns; in an earlier volume, *Un Demi-Roi*, the author had recounted d'Épernon's romantic rise from obscurity.

One of the fields of history not yet studied in adequate detail is the career of the Cardinal Richelieu. A valuable monograph on one of the critical episodes in that career is furnished by Pierre de Vaissière in

*L'Affaire du Maréchal de Marillac, 1630-1632* (Paris, Perrin, 1924, pp. xx, 250). M. Funck-Brentano writes the preface.

The fifth volume of Gustave Schelle's definitive *Oeuvres de Turgot et Documents le concernant* (Paris, Alcan, 1923, pp. 794) completes the work, begun ten years ago. It covers the period from 1776 to 1781, with addenda for preceding years and a triple index of places, persons, and subjects for the five volumes.

*La Belle Pamela (Lady Edward FitzGerald)* (London, Herbert Jenkins) is the joint work of the subject's great-granddaughter, Miss Lucy Ellis, and the French writer, M. Joseph Turquan, and treats this interesting life with great fullness and authority. On the question of parentage, it is said to leave no reasonable doubt—Philippe Égalité and Madame de Genlis.

Two publications of unusual importance are the second volume of Professor Albert Mathiez's *La Révolution Française*, covering *La Gironde et la Montagne* (Paris, Colin, 1924, pp. 220), and a sixth monograph by Édouard Driault, the well-known Napoleonic scholar, on *Napoléon et l'Europe; le Grand Empire, 1809-1812* (Paris, Alcan, 1924, pp. x, 425).

Vol. XXVI. of the *Actes du Comité de Salut Public*, ed. Aulard, has been issued from the Imprimerie Nationale. It comprises the month of August, 1795.

*Napoléon Créancier de la Prusse, 1807-1814* (Paris, Hachette, 1924), Ch. Lesage's able study of the indemnity exacted of Prussia by the Treaty of Tilsit and its gradual payment, gains special interest from the events of contemporary history. Other new books on the Napoleonic period are Émile Le Gallo's well documented, though not definitive, account of *Les Cent Jours; Essai sur l'Histoire Intérieure de la France depuis le Retour de l'Île d'Elbe jusqu'à la Nouvelle de Waterloo* (Paris, Alcan, 1924, pp. 534), and the *Journal de Jean-Gabriel Eynard; les Cent Jours*, with introduction and notes by E. Chapuisat (Paris, Plon, 1924, pp. xx, 276).

The story of *L'Occupation de la France par les Alliés en 1815* is told by Roger André, with the aid of unpublished documents (Paris, Boccard, 1924, pp. xvi, 181).

The new volume of Michelet's correspondence, *Lettres Inédites, 1841-1871*, edited by Paul Sirven (Paris, Presses Universitaires, 1924, pp. lxxx, 378), supplements the life by Monod for the period after 1852 and marks appropriately the fiftieth anniversary of the great historian's death.

In Bernard Lavergne's *Les Coopératives de Consommation en France* (Paris, Colin, 1923, pp. 216) the student of economic history will find an excellent brief discussion, tracing the movement from its origin about 1880 to the present, together with a selected bibliography.

Noteworthy articles in periodicals: G. Fagniez, *L'Assistance Publique et la Charité Féminine dans la Première Moitié du XVII<sup>e</sup> Siècle*, I. (Revue des Questions Historiques, July); G. de la Rochefoucauld, *Un Homme d'Église et d'État au Commencement du XVII<sup>e</sup> Siècle* [Cardinal François de la Rochefoucauld, 1558-1645], I., II. (Revue de Paris, July 15, August 1); Duc de la Force, *Le Maréchal de Caumont la Force, 1558-1652*, I., II., III. (Revue des Deux Mondes, May 15, June 15, July 1); Paul Renaudin, *Port-Royal et son Dernier Historien* (Revue de Paris, June 1); C. G. Picavet, *L'Organisation du Travail Diplomatique en France de 1667 à 1670* (Revue Historique, July); Marquis de Forbin, *Le Cardinal de Forbin-Janson à Rome; le Conclave d'Innocent XII., 1691* (Revue d'Histoire Diplomatique, XXXVIII. 2); Léonce Grasilier, *Cent Cinquante Années de Police Politique* (Nouvelle Revue, June 1); Ch. Barbaud, *La Maison Bonaparte* [at Ajaccio]: *Historique* (Revue des Études Napoléoniennes, July); M. B. Garrett, *The Controversy over the Composition of the States-General, September 25-November 6, 1788* (Howard College Bulletin, May); Marcel Marion, *La Banqueroute des Deux Tiers* (Revue des Sciences Politiques, April-June); A. Mathiez, *L'Intrigue de Lafayette et des Généraux au Début de la Guerre de 1792*, I. (*L'Armée Nouvelle*, June 1); *id.*, *Robespierre à la Commune le 9 Thermidor* (*Annales Historiques de la Révolution Française*, July-August); Paul Dudon, *Autour du Concordat de 1801* (*Études*, May); Comte de Sérignan, *Le Général Malet et le Coup de Force du 23 Octobre, 1812, d'après des Documents Nouveaux*, II. (Revue des Questions Historiques, July); L. Madelin, *Nos Grands Chefs: le Maréchal Foch*, I. *Jusqu'en 1914*, II. *Après 1914* (Revue des Deux Mondes, August 1, 15).

#### ITALY, SPAIN, AND PORTUGAL

General review: E. Carrara, *Rassegna Dantesca* (Nuova Rivista Storica, March).

In vol. XLVI. of the *Archivio della R. Società Romana di Storia Patria* the leading articles are one by Romolo Quazza on the Election of Urban VIII. as related by the diplomatic representatives of Mantua, one by Giulia De Dominicis on the Roman Theatres in the time of Pius VI., and one by Raffaello Morghen on Cardinal Matteo Rosso Orsini, cardinal 1262-1305; but the contribution which will probably be of widest usefulness to American students is the full and careful account of German publications of 1914-1921 relating to Italian history which has been supplied to the *Archivio* by Dr. Walter Holtzmann, embracing more than two hundred works.

The Reale Commissione Vinciana has now begun publication of a sumptuous series of *I Manoscritti e i Disegni di Leonardo da Vinci* (Rome, Danesi) by bringing out part I. of MS. Arundel 263 of the British Museum, which in its 283 folios presents an extraordinary variety

of unpublished writings of that encyclopaedic master. The present volume gives 184 pages of phototype facsimiles, 184 of diplomatic transcriptions, 132 of critical texts, and 465 drawings. The second volume will contain the introduction. The edition is of 300 copies only.

The maritime city of Genoa was one of the early centres of modern journalism. The narrative of this development is made by O. Pastine in his well documented *La Repubblica di Genova e le Gazzette; Vita Politica ed Attività Giornalistica, Secc. XVII.-XVIII.* (Genoa, Waser, 1923, pp. 252).

Giuseppe de Socio's *Le Président de Brosses et l'Italie* (Rome and Paris, Picard, 1923, pp. 320) discusses the value of De Brosses's *Lettres Familières écrites d'Italie* for a knowledge of Italy in the eighteenth century.

A diligent effort to assemble from many scattered sources a consistent account of Mazzini's economic theory is made by G. Navarra-Crimi in *Mazzini Economista* (Savona, 1923, pp. 113).

The history of Italian foreign policy from 1870 to 1915 is recounted in *Italy and the Triple Alliance* (London, Ernest Benn), by Professor G. Salvemini of the University of Florence.

The first section of the Archives of the Indies, called the Patronato, consists of 294 *legajos*. An itemized list of these, first printed in the *Boletín del Centro de Estudios Americanistas de Sevilla*, fills pp. 3-32 of the *Catálogo de Legajos* published in 1919. The *Boletín* now begins, in no. 82-84, a detailed list of the papal bulls and briefs which form the first section of the Patronato. Four of the seven *legajos* in that section are covered by the list, 189 bulls and related documents. Professor J. P. Rubio's treatise and collection of documents on the Piloto Mayor is finished, and is now available as a separate book (Seville, the Centro, pp. viii, 299).

Noteworthy articles in periodicals: Achille Norsa, *Il Fattore Economico nella Grandezza e nella Decadenza della Repubblica di Venezia*, concl. (Nuova Rivista Storica, March); Antonio Monti, *Filippo II. e il Cardinale Cristoforo Madruzzo Governatore di Milano, 1556-1557* (*ibid.*).

#### GERMANY, AUSTRIA, AND SWITZERLAND

The distinguished economist, Friedrich Lenz, in the second part of his *Staat und Marxismus: die Deutsche Sozialdemokratie* (Stuttgart, Cotta, 1923, pp. viii, 283) gives the student of intellectual history a new point of view in his discussion of the importance of foreign politics during the nineteenth century for the development of German socialism.

Kiderlen-Waechter, German minister at Bucharest for ten years, then secretary of state from 1911 to 1913, had, it is well known, a posi-

tion of great influence in Germany in the period preceding the war. *Kiderlen-Waechter der Staatsmann und der Mensch: Briefwechsel und Nachlass* (Berlin, Deutsche Verlags-Anstalt) is an important contribution to the knowledge of that period of history.

Much importance attaches to General Freiherr von Freytag-Loringhoven's *Menschen und Dinge wie ich sie in meinem Leben sah* (Berlin, Mittler, pp. 340), partly because before the war, the period to which the first half of the book relates, he was head of the historical sections of the Prussian General Staff, partly because he was, during successive periods of the war, German plenipotentiary at Austrian headquarters, deputy chief of the General Staff under Falkenhayn, and then representative of the latter in Berlin.

Under the title *A Revelation: Germany's Secret Views for Alsace-Lorraine, 1915-1918*, Messrs. Berger-Levrault of Paris have published an English translation of a book in which M. Charles Schmidt, of the Archives Nationales, has printed a body of documents which he found left behind after evacuation in the archives of the Reichsland. The main piece is the proceedings of a conference of military and some civil authorities held at Bingen in June, 1917, to consider how under war conditions it might be possible to Germanize these provinces more rapidly. Further documents discuss appropriate measures and present memoranda from Hindenburg, the Statthalter, and the Bavarian government, which wished annexation to Bavaria rather than to Prussia.

Friedrich Payer, a Württemberger, for many years a Liberal leader in the Reichstag and vice-chancellor in the days just preceding the Armistice, gives his reminiscences of the last ten years of German parliamentary history in a book entitled *Von Bethmann Hollweg bis Ebert* (Frankfort, Frankfurter Societäts-Druckerei).

A somewhat extensive publication of documents from the secret archives of Emperor Francis Joseph was begun in the *Neue Wiener Tageblatt* on September 14, to continue serially for some weeks.

Under the title *Austria in Dissolution* Messrs. Benn of London publish this month a translation of the personal recollections of Count Burian, minister of foreign affairs of Austria-Hungary in 1915-1916 and 1918.

The early history of the Franciscans in Hungary is recounted by Mgr. Jean Karacsony's *L'Histoire de l'Ordre de S. François en Hongrie jusqu'en 1711* (Budapest, Académie des Sciences, 1923, pp. 562).

Noteworthy articles in periodicals: Dietrich Schäfer, *Deutschland als Wahlreich* (Preussische Jahrbücher, June); W. Stolze, *Die Lage des Deutschen Bauernstandes im Zeitalter des Bauernkrieges* (Jahrbuch der Luther-Gesellschaft, VI.); Otto Schiff, *Die Deutschen Bauernaufstände von 1525 bis 1789* (Historische Zeitschrift, CXXX. 2); Paul Kehr, *Ein*



*Jahrhundert Preussischer Archivverwaltung* (Preussische Jahrbücher, May); Andrea Frahm, *Paulskirche und Volkssouveränität* (Historische Zeitschrift, CXXX. 2); Felix Rachfahl, *Die Deutsche Aussenpolitik der Wilhelminischen Aera* (Archiv für Politik und Geschichte, May); H. O. Meisner, *Der "Neue Kurs", Deutsche Aussenpolitik, 1890-1896*, I., II. (Preussische Jahrbücher, April, June); *Germany and the Hague Peace Conferences; Manifesto of the Parliamentary Investigating Committee* (Die Kriegsschuldfrage, May); Heinrich Ritter von Srbik, *Metternichs Plan der Neuordnung Europas 1814-1815* (Mitteilungen des Oesterreichischen Instituts für Geschichtsforschung, XL. 1 and 2); Edgar Stern-Rubarth, *Sturz und Flucht Metternichs, nach Briefen aus dem Hausarchiv der Grafen Rechberg* (Deutsche Rundschau, June).

#### NETHERLANDS AND BELGIUM

The forty-fourth annual volume of the *Bijdragen en Mededeelingen* of the Dutch (Utrecht) Historisch Genootschap (Amsterdam, J. Müller, 1923, pp. lxxxiii, 235) is mainly occupied with economic material. Dr. P. A. Meilink presents a body of contemporary reports and evidences respecting the struggle over export duties on grain, 1530-1541. Professor K. Heeringa presents a variety of documents tending to show just how large were the pecuniary contributions which were levied on the province of Utrecht by the Spaniards in 1572-1577, and which caused it to turn from Spain to the Prince of Orange. Dr. Meilink brings forward papers that show, by figures of tonnage-dues, the extent and nature of Holland's commerce in 1507. In the forty-fifth volume (1924, pp. lxxxiii, 250) Professor P. van Geyl has three contributions: a note of Sir Francis Nethersole, 1625, on the party contests of that time in the Netherlands; letters from an English Republican emissary to the Council of State in 1650 describing William II.'s coup d'état, and an interesting correspondence, 1734-1743, between William IV., his wife Anna, and her mother, Queen Caroline of England, whose spelling of French (which she evidently pronounced Germanically) is almost beyond example. The same volume contains documents on the possessions of the Hospitallers in Groningen, and on the image-breaking at Delft in 1566-1567.

New portions of the *Geschiedkundige Atlas van Nederland*, prepared by Dr. A. Beekman and Dr. J. van Veen, carry near to their completion the series of sheets exhibiting ecclesiastical divisions and conditions about 1550—*De Kerkelijke Indeeeling omstreeks 1550, tevens Klosterkaart* (the Hague, Nijhoff), accompanied by a commentary of 118 pages octavo.

For the series of *Great Hollanders*, edited by Edward W. Bok, Messrs. Scribner have reprinted Frederic Harrison's *William the Silent* (1924, pp. x, 294), which first appeared in 1897 as one of the *Foreign Statesmen* series and which was republished in 1902, with notes by Henry Ketcham, among the *Heroes of History*. The present reissue differs from the

earlier editions in the elimination of such phrases as, in this day, are inappropriate (for example, the reference to Wilhelmina as the "girl queen"), and in the addition of an Epilogue, consisting of extracts taken from volume II. of the author's *Autobiographic Memoirs* (Macmillan, 1911).

Dr. Hendrik Willem van Loon's entertaining volume *The Fall of the Dutch Republic* (Boston, Houghton Mifflin) has been brought out in a new edition with several illustrations by the author.

The Belgian Historical Institute at Rome, after an interruption of ten years, has published an additional volume in the series *Analecta Vaticano-Belgica: Documents relatifs aux Anciens Diocèses de Cambrai, Liège, Thérouanne, et Tournai*. The present book, prepared by Professor Karl Hanquet of Liège, embraces 2513 *Suppliques de Clément VII.* (Brussels, Imbregts, 1924, pp. xxxiii, 693) for the first year of his pontificate. The complement will be a volume of letters of that pontiff, and, with a joint index, will complete vol. VIII.

Those who have had occasion to use Jourdain and Van Stalle's dictionary of Belgian communes, published nearly thirty years ago, will be glad to learn of a new *Dictionnaire Historique et Géographique des Communes Belges* by E. De Seyn, which will be issued in twenty-five fascicles, or two volumes of a thousand pages each. The first two fascicles have just appeared (Brussels, Bieleveld, 1924, pp. 128); they contain information regarding former place-names, facts relating to toponymy, population statistics at different periods, etc.; historical maps are promised for subsequent numbers.

#### NORTHERN AND EASTERN EUROPE

*Études sur le Vocabulaire Religieux du Vieux Scandinave; la Libation* (Paris, Champion, 1924, pp. 327), by Maurice Cahen, is more than a linguistic study; it is an original and meritorious discussion of certain religious customs in the extreme North.

Two recent books on the history of eastern Europe are Karl Stählin's *Geschichte Russlands von den Anfängen bis zur Gegenwart*, vol. I. (Stuttgart, Deutsche Verlags-Anstalt, 1923, pp. 438) and the *Geschichte Polens* by Erdmann Hanisch (Bonn, Schröder, 1923, pp. 389).

The Russian government has published in two volumes the Letters and Memoranda of Constantine Pobedonostsev, late procurator of the Holy Synod, and his correspondents, a collection full of value for the study, especially, of the reign of Alexander III.

#### SOUTHEASTERN EUROPE

The history of Bulgaria during the last ten years furnishes material for *Le Drame Bulgare; de Ferdinand à Stamboulisky* (Paris, Payot, 1924, pp. 256) by Paul Gentizon, special correspondent of the *Temps*.

AM. HIST. REV., VOL. XXX.—14.

Noteworthy articles in periodicals: Ludmil Hauptmann, *Die Bestimmenden Kräfte der Kroatischen Geschichte im Zeitalter der Nationalen Herrscher* (Mitteilungen des Oesterreichischen Instituts für Geschichtsforschung, XL. 1 and 2); Pierre David, *Un Consulat de France en Bosnie sous le Premier Empire* (Revue d'Histoire Diplomatique, XXXVIII. 2).

#### ASIA, MEDIEVAL AND MODERN

The second volume of the records of the Pro-Jerusalem Society, entitled *Jerusalem, 1920-1922* (London, Murray), ed. C. R. Ashbee, contains a bibliography of Moslem architecture in Palestine, by K. A. C. Creswell, late inspector of monuments, and a body of extracts from the diary of a Franciscan pilgrim of the sixteenth century.

The *Annales Guimet*, so rich in publications of value to the Orientalist, have added two new numbers to their series (XXXI. and XXXII.), both very highly praised. One is the second volume of *L'Histoire des Idées Théosophiques dans l'Inde*, whose special subject is *La Théosophie Bouddhique* (Paris, Geuthner, 1923, pp. xv, 542), by the Genevese savant Paul Oltramare, whose first volume, on Brahman theosophy, appeared sixteen years ago. The other number of the *Annales* is J. Przyluski's work on the *Açoka-avadana*, reviewed in the last number of this journal.

Alexander Kinloch Forbes (1821-1864), judge and political agent in Gujarât, in the Bombay Presidency, published in 1856, under the title *Râs Mâlâ* ("A Garland of Chronicles"), an account of the medieval and modern history of Gujarât based on much study and especially on bardic and other native materials collected with great industry and tact. A second edition was published in 1878. Professor H. G. Rawlinson, of the Indian Educational Service, now publishes a third (Oxford University Press, 2 vols., pp. xxiii, 444, 459), with some additional notes. Besides many entertaining narratives the book contains a minute and valuable account of Gujarât life and customs in the author's time.

Mr. S. M. Edwardes, formerly commissioner of police of Bombay, has prepared *The Bombay City Police: a Historical Sketch, 1672-1916* (Oxford, University Press, pp. 223); students of police systems, or of the British administration in India, will find much to interest them in this intelligent narrative.

For the first time, an adequate account of the early history of Burma is promised. The late Dr. Vincent Smith incited its production, by Mr. G. E. Harvey, of the Indian Civil Service, and several years of research, in various fields and languages, have brought it to completion—*History of Burma, from the Earliest Times to 10th March, 1824, the Beginning of the English Conquest* (Longmans).

Vols. VII. and VIII. of De la Mazelière's weighty work on *Le Japon, Histoire et Civilisation* (Paris, Plon, 1923), cover the end of the nineteenth and the beginning of the present century.

*Le Japon en 1857* is a small volume, made up of extracts from the journal of the Chevalier W. J. Huyssen de Kattendyke, captain-lieutenant in the Dutch navy, during his sojourn in Japan from 1857 to 1859 (Paris, Fischbacher, 1924).

#### AFRICA, MEDIEVAL AND MODERN

Vol. V. of the *Mémoires de la Société Royale de Géographie d'Égypte* is furnished by Ch. de La Roncière's *La Découverte de l'Afrique au Moyen Age*, vol. I., *L'Intérieur du Continent* (Paris, Champion, 1924, pp. viii, 172).

A valuable general history of Morocco and its dynasties, from the first arrival of the Mohammedans to the abdication of the sultan Abd-el-Aziz in 1907, will be found in the *Histoire du Maghreb* (Paris, E. Leroux, 1923, pp. 501), by Ismael Hamet, a Kabyle by origin; it is a scholarly course of lectures gives at the Institut des Hautes Études Marocaines at Rabat.

#### AMERICA

##### GENERAL ITEMS

For the Department of Historical Research in the Carnegie Institution of Washington, Mr. David W. Parker, formerly keeper of the manuscript room in the Public Archives of Canada, sailed in September from Europe to the West Indies, in order to complete one of the archival *Guides* published by the Institution, by taking an inventory of the archives of the Lesser British Antilles. Mr. W. G. Leland began at the beginning of July his period of six months' service to the American Council of Learned Societies in making, at the request of the Carnegie Corporation, a general survey of the composition, development, past and possible future activities of the national humanistic societies in the United States.

The Library of Congress has acquired, by the annual gift of Simon Gratz, a collection of miscellaneous eighteenth-century letters to Sir William Johnson, Caesar A. Rodney, Elisha Williams, and Gen. Edward Hand, together with Revolutionary and Continental Congress papers. The Library has also acquired, from various sources, the letter-book of Charles D. Coxe, U. S. consul at Tunis, 1806-1809; papers of Justice David J. Brewer; the Congressional correspondence of Francis Burton Harrison; six letter-books of John Hancock, described on a succeeding page; an unpublished letter-press copy of a letter written by Washington, giving minute directions to his steward on the management of his household in Philadelphia; letters of John Trumbull and Charles Bulfinch as to the rotunda of the Capitol; Harriet Howland's diary of a visit to England in 1811; and the custom-house records of Dumfries, Va., 1789-1805.

It should be mentioned, to historical students desiring to use materials in the archives of the Department of State, that the Department has lately

framed a code of regulations governing access to its archives for the purpose of historical investigations, regulations liberal but definite, and that they can be obtained by applying to the Department for a copy of Departmental Order No. 309.

The fourth series of Professor A. B. Hulbert's *Crown Collection of American Maps* will contain five portfolios, each consisting of fifty maps of the Overland, Oregon, and Sante Fé trails, to come out in 1925, 1926, and 1927. They will be in part the fruit of personal exploration.

The *Smith College Studies in History*, vol. VIII., nos. 3 and 4 (April-July, 1923), consists of the letters of Francis Parkman to Pierre Margry, 1869-1889, with an introductory note by Professor John S. Bassett. The letters are valuable for the light they cast both on the work of Parkman and on that of Margry. Vol. IX., nos. 1 and 2 (October, 1923-January, 1924), is a study, by Dr. Mark L. Hansen, of German Schemes of Colonization before 1860. A preliminary chapter treats of the colonization impulse in Germany before 1815. The first efforts after that date were toward South America, then toward the Near East and Hungary. In the forties, projects were developed for extensive colonization in North America, the most ambitious of which was in Texas, while other schemes were directed toward a renewal of the South American projects, and still others looked toward Africa and Australia. Two final chapters of the study deal with the development of societies for the regulation of emigration and colonization, and official interest in the colonization movement, respectively.

Vol. I. of the *Biographical Cyclopedia of American Women*, in eight volumes, edited by Mabel W. Cameron, has come from the press (New York, Halvord Publishing Company).

Professor Edward C. Smith of New York University has brought out through the firm of Burt *A Dictionary of American Politics*.

R. D. Bowden is the author of a work bearing the title *The Evolution of the Politician: a short Study of the Corruptor of Politics, the Enemy of Democracy, his Origin, Development, and present Status* (Boston, Stratford).

The *Records of the American Catholic Historical Society*, March number, contains the address of the vice-president, Rev. Dr. Peter Guilday, delivered at the annual meeting of the society in December, being the outlines of a paper on the writing of parish histories. Other papers in this number are: a sketch, by Rev. Francis E. Tourscher, O.S.A., of the life of Rev. Thomas Cooke Middleton (1842-1923), O.S.A.; a record of the founding (1923) of Villa Maria Academy at Miraflores, Peru; and an account, by Sister Mary Eulalia Herron, of the work of the Sisters of Mercy in the New England states.

Among the papers found in the *Historical Records and Studies*, vol. XVI. (May, 1924), of the United States Catholic Historical Society are: Hieronymus Münzer, a Rival of Columbus, by Rev. Joseph Fischer, S.J.; the Royal Road to the Capital, by Margaret B. Downing; Rochester's Catholic Pioneers, by Rev. F. J. Zwierlein; Early Dutch Toleration in New Netherland, by the same author; a Century of Catholic Progress, by Timothy J. Riordan; Lincoln's Opinion of Catholics, by Thomas F. Meehan; and a sketch of Monsignor Andrew Arnold Lambing, by Rev. Thomas F. Coakley.

A useful account of a valuable sisterhood, given in a doctoral thesis of the Catholic University of America, is *The Congregation of St. Joseph of Carondelet: a Brief Account of its Origin and of its Work in the United States, 1650-1922* (St. Louis, B. Herder), by Sister Mary Lucida Savage.

The July number of the *Journal of Negro History* is almost entirely occupied by the first half of a treatise by A. A. Taylor on the Negro in South Carolina during the Reconstruction, which, we believe, will also be obtainable as a separate volume.

*The Jews in the Making of America*, by George Cohen, with an introduction by Edward F. McSweeney, appears in the series of *Racial Contributions* sponsored by the Knights of Columbus.

#### ITEMS ARRANGED IN CHRONOLOGICAL ORDER

The American-Scandinavian Foundation announces for publication this autumn, in its series of *Scandinavian Classics*, a volume entitled *America of the Fifties: the Letters of Fredrika Bremer*. The letters treat of New England authors, of public men in Washington, and of travels in the West and South as far as St. Paul and New Orleans.

*Frederick Law Olmsted: a Critic of the Old South*, by Broadus Mitchell, appears in the series of *Johns Hopkins University Studies in History and Political Science*.

The historical interest of *Abraham Lincoln, Master of Words*, by Professor Daniel K. Dodge, of the University of Illinois (Appleton, pp. x, 178), is to be found in the reprinting from newspapers of the period some brief, early speeches not included in the collected works, in the statement of the circumstances surrounding Lincoln's principal utterances, and in the effort that has been made to measure contemporary opinion of them. A chapter is devoted to the preparation, delivery, and reception of the Gettysburg Address, concerning which the author agrees with accepted authority that it was prepared, barring slight changes, in Washington; brands the story of Everett's expression immediately after its delivery as apocryphal; and shows from an examination of newspaper files and magazines for 1863 that not more than three persons appreciated its worth.

*Conscription and Conflict in the Confederacy*, by Professor Albert B. Moore of the University of Alabama, is a study of the methods used by the Southern states in raising the army, and of the conflict between the Confederate and state authorities which ensued in consequence of the adoption of conscription (Macmillan).

In a volume entitled *Anglo-American Relations during the Spanish-American War* Bertha Ann Reuter of Wesleyan College, Georgia, not only sets forth the attitude of Great Britain toward the United States in 1898, but sketches the history of Anglo-American relations from the time of the Revolution, emphasizing the growth of friendship between the two nations in the period preceding the Spanish-American War (Macmillan).

*The Story of the Pan American Union: its Origin and its Services to the Republics of the Western World*, by William A. Reid, is published in Philadelphia by Dorrance.

*The Memoirs of Thomas O. Selfridge, jr., Rear-Admiral U. S. N.*, with an introduction by Captain Dudley W. Knox, is from the house of Putnam.

*The True Story of Woodrow Wilson*, by David Lawrence, is published by the firm of Doran.

*Willard Straight* (Macmillan), a biography by Herbert Croly, is the story of one who was successively an official in the Chinese customs service, a correspondent during the Russo-Japanese War, a member of the American consular service in Korea, in Washington, in Cuba, and at Mukden, a financial diplomat working for the development of China, and a soldier in the Great War.

*A New American Commercial Policy*, by Dr. Wallace McClure, of the Knoxville Bar (New York, Longmans, 1924, pp. 397, no. 255 of the *Columbia University Studies in History*, etc.), is mainly a publicist's discussion of the nature and probable effects of the policy of defensive duties established by section 317 of the Tariff Act of 1922, but contains also much historical information as to whatever steps in the same direction had been taken by the United States in previous legislation and negotiations.

Henry Moskowitz has produced a life of the present governor of New York, which bears the title *Alfred E. Smith: an American Career* (New York, Seltzer).

#### LOCAL ITEMS ARRANGED IN GEOGRAPHICAL ORDER

##### NEW ENGLAND

The May serial of the *Proceedings* of the Massachusetts Historical Society is mainly occupied with a paper, by Dr. Gardner W. Allen, on Naval Convoys, and a series of Civil War letters of the late Charles P.



Bowditch, who served in the army somewhat more than a year, 1863-1864, mostly on the Carolina coast. The society has received a body of transcripts of papers of Major Robert Sedgwick and Captain John Leverett concerning expeditions of 1654-1656 against New Netherland, Port Royal, and Jamaica; orderly books and a letter-book of Gen. Artemas Ward, 1775-1777; and journals, letter-books, and account books, 1783-1851, of Theodore Sedgwick and Theodore Sedgwick, jr. It has resolved to transfer to the Library of Congress, as being properly a part of the records of the Continental Congress, the six letter-books kept by John Hancock when President of the Congress which have been in the possession of the society since 1817.

In *The Story of an Independent Newspaper* (Macmillan) Richard Hooker chronicles one hundred years of the *Springfield Republican*, founded in 1824 by Samuel Bowles and carried on by his son and grandson of the same name.

By bequest from the late George E. Hoadley of West Hartford, the Connecticut Historical Society has received his important collection of historical pamphlets, autographs, and historical manuscripts, the latter embracing many pieces valuable for the history of Connecticut and of the Revolution, while the collection of autographs embraces several hundred interesting letters.

#### MIDDLE COLONIES AND STATES

The *Quarterly Journal of the New York State Historical Association* has a paper by H. P. Biggar on Frontenac's Projected Attempt on New York in 1689, and one by James A. Hamilton on John Brown.

The *New York Historical Society Bulletin* for July contains an article by Reginald P. Bolton on the Defence of Croton River in the Revolution.

The *Bulletin* of the New York Public Library for May, June, and July prints an inventory, made in the eighteenth century, of all the papers concerning the manor of Rensselaerswyck which came into the hands of the executor of the proprietor of that manor in 1769. Of the papers themselves, nearly all were destroyed in the fire of 1911.

The *History of the State of New York, Political and Governmental*, in six volumes, edited by Ray B. Smith, has appeared (Syracuse, Syracuse Press).

*Documents relating to New Netherland (1624-1626)*, in the Henry E. Huntington Library, translated and edited by A. J. F. van Laer, has been brought out in San Marino, Calif., by the library.

The contents of the July number of the *Proceedings of the New Jersey Historical Society* include Lafayette's Visit to New Jersey in 1824-1825, by Dr. Frank Bergen; Historic Bordentown, by Jay B. Tomlinson; Service of the New Jersey Militia in the Revolutionary War, by Cor-

nelius C. Vermeule; and Zion, St. Paul, and other Early Lutheran Churches in Central New Jersey, by Dr. John C. Honeyman.

The contents of the July number of the *Pennsylvania Magazine of History and Biography* include, beside continuations hitherto mentioned, a paper by Mantle Fielding concerning Edward Savage's portraits of Washington; one by Rufus B. Stone on Sinnontouan, or Seneca Land, in the Revolution; and some letters (1774-1776) of Dr. Solomon Drowne, contributed, with an introduction, by Harrold F. Gillingham.

Chief among the *Papers* read before the Lancaster County Historical Society, May 2, is Two Notable Mining Industries of Lancaster County, by H. L. Willig; that appearing in the issue for June 6 is a sketch of Rev. Bernard Keenan, by Richard M. Reilly.

The July number of the *Western Pennsylvania Historical Magazine* includes an article by A. S. Guffey on the First Courts in Western Pennsylvania; one by George P. Donehoo on the Shawnee in Pennsylvania; one by Mrs. S. Kussart on the Earliest Settlements in the Fifth Ward of the City of Pittsburgh; a letter from Richard Peters, secretary of the Continental board of war, to General Edward Hand (January 22, 1778); one from Ephraim Douglass to John Dickinson, dated at Union Town, February 2, 1784; and one from Anthony Wayne to General Henry Knox, dated at Legionville, March 22, 1793.

#### SOUTHERN COLONIES AND STATES

*Economic Aspects of Southern Sectionalism, 1840-1861*, in two volumes, by Robert R. Russel, appears in the series of *University of Illinois Studies in the Social Sciences*.

The June number of the *Maryland Historical Magazine* contains two articles by Henry J. Berkley, namely, Extinct River Towns of the Chesapeake Bay Region, and Londontown on South River, Anne Arundel County, Maryland, and a continuation of the Extracts from Account and Letter-Books (1728-1730) of Dr. Charles Carroll of Annapolis.

*Your Washington and Mine*, by Miss Louise P. Latimer (Scribners), gives not only a careful and comprehensive account of the federal capital in its present condition, but devotes much attention to the history of the District of Columbia.

The Colonial Dames have given to the Virginia State Library the use of a photostat, which will be employed in making prints of county and parish records additional to those of which the originals have been deposited in the Library.

The *Virginia Magazine of History and Biography* includes in the July number, under the title Virginia Clergy, Governor Gooch's letters to the Bishop of London, 1727-1749, drawn from the Fulham manuscripts. The letters are contributed by Mr. Fairfax Harrison and edited by Rev.

G. McLaren Brydon. The portions of the Virginia Council Journals appearing in this issue are of the year 1727, the Kennon letters of the year 1810. In the genealogical account of Harrison of James River there is a sketch of Benjamin Harrison, the Signer, and also two portraits of him.

The July number of the *William and Mary College Quarterly Historical Magazine* has the concluding installment of the acts of the general assembly, January 6, 1639/40, some letters (1777-1782) from Professor Robert Andrews of William and Mary College to Major Everard Meade, aide-de-camp to General Lincoln, and a letter from T. T. Davis, dated at Kaskaskias, 1803.

The North Carolina Historical Commission has entered upon a plan for extensive copying of North Carolina material in the Public Record Office, London, intending thus to bring into its collections many documents that were not put in the *Colonial Records of North Carolina*. The death of the secretary of the commission, Dr. D. H. Hill, in July, leaves incomplete a history of North Carolina's part in the Civil War on which he had been working for the commission for eight years past. The archivist, Mr. R. B. House, has been appointed acting secretary.

The July number of the *North Carolina Historical Review* contains an account of the unveiling of the monument to the late Governor Charles B. Aycock (1859-1912), together with the two principal addresses: an appreciation by President Edwin A. Alderman of the University of Virginia, and an historical address by Hon. Josephus Daniels. There is also an article by Rev. Douglas L. Rights entitled *Traces of the Indian in Piedmont North Carolina*.

The *South Carolina Historical and Genealogical Magazine* continues in the issues for July-October, 1923, and January and April, 1924, the letters (1792) of Henry Laurens to William Bell of Philadelphia. In the January number are found also material on the Bond Family of Hobcaw Plantation, Christ Church Parish, compiled by Miss Mabel L. Webber, and Inscriptions from Cemeteries in and near Camden, contributed by Richard W. Lloyd. The number for April, 1924, makes a useful contribution to American diplomatic history by printing, from the papers of Timothy Pickering, a series of private letters written to him in 1798 by William (L.) Smith of Charleston, minister to Portugal.

The June number of the *Georgia Historical Quarterly* contains an article by Thomas R. Hay on the Battle of Chattanooga, one by W. G. Charlton on Button Gwinnett, and a continuation of Dr. Percy S. Flip-pin's study of Royal Government in Georgia, 1752-1776.

The Florida State Historical Society's vol. II., *Notes on the Life and Works of Bernard Romans*, by the late P. Lee Phillips, and its reproduction of Romans's remarkable map of Florida, have now been issued to members of the society.

The chief historical article in the *Louisiana Historical Quarterly* of July, 1923, is a History of the Cabildo of Mexico City, 1524-1534, by Lois K. Dyer; but a very interesting feature of this number is a record of the tribute to Miss Grace King, Apr. 27, 1923, rendered under the auspices of the Louisiana Historical Society, which included a number of addresses, among them one by Henry P. Dart, discussing Miss King's historical works. Other contributions, beside continuations, are an Old Lady's Gossip of Life in Louisiana in the Middle of the Last Century, edited by Cecile Willink, from an old manuscript which has recently come into possession of the *Quarterly*, and a paper, by William Nott, on Adrien Rouquette: Poet and Mystic.

## WESTERN STATES

The June number of the *Mississippi Valley Historical Review* contains an important paper by Professor Eugene C. Barker on the Influence of Slavery in the Colonization of Texas; one by Miss Martha L. Edwards on a Problem of Church and State in the 1870's, meaning, the government's temporary consignment of Indian agencies and education to missionaries of the Society of Friends and other religious bodies; one by Thomas R. Hay on the Davis-Hood-Johnston Controversy of 1864; and a biographical account of Nicholas P. Trist, by Professor L. M. Sears. In the section of documents is printed some Texas correspondence of 1832-1835, from the papers of Samuel M. Williams.

The January number of the *Ohio Archaeological and Historical Quarterly* contains a biographical account of Felix Renick, Pioneer, from the pen of Professor Charles S. Plumb of the Ohio State University, and a diary kept by Aaron Miller of a journey in 1832 from Loudoun County, Virginia, into Ohio and Indiana and return. In the April number Mr. C. B. Galbreath discusses once more the question of origin and authorship of the Ordinance of 1787, presenting much of the documentary evidence, including the letter from Nathan Dane to Rufus King, July 16, 1787. From the pen of Mr. Galbreath is also an account of Ohio's Contribution to National Civil Service Reform, while Albert Douglas contributes a report of Ohio's only Witchcraft Case. The July number includes a sketch of Winthrop Sargent, reprinted from *Epes Sargent of Gloucester and his Descendants*, by Charles S. Sargent; Winthrop Sargent's Diary while with the St. Clair expedition against the Indians; and extracts from his Journal of 1793-1795.

The *Speech of the Hon. Thomas Ewing (1789-1871) delivered at a Public Festival given him by the Whigs of Ross County, Ohio, June 10, 1837*, has been reprinted by his grandson, Thomas Ewing, of Yonkers, New York (Chillicothe, Seneca W. Ely, printer).

The Indiana Historical Commission has just issued vol. III. of its series of *Governors' Messages and Letters* (pp. 544) covering the administrations from 1816 to 1825.

Among the articles in the June number of the *Indiana Magazine of History* are: General Washington Johnston (1776-1833), by George R. Wilson; John Hay Farnham (1791-1833), by Elizabeth T. Cauble; Early Methodism in Clay County, by Albert F. Bridges; and a continuation of the paper on Early Vevay, by Perret Dufour.

The *Transactions* of the Illinois State Historical Society for the year 1923 includes the following papers: the European Situation and our Relation to it, the annual address, by Hon. Simeon D. Fess; the Northwestern Career of Jefferson Davis, by M. M. Quaife; the Autobiography of Benjamin Franklin Harris, edited, with introduction and notes, by Mrs. Mary V. Harris; the Railroad and the Prairie, by C. A. Harper; Ephraim Elmer Ellsworth, First Martyr of the Civil War, by Luther E. Robinson; the Influence of Tennesseans in the Formation of Illinois, by Edward B. Landis; Commerce and Union Sentiment in the Old Northwest in 1860, by A. H. Kohlmier; Life and Public Services of Mrs. John A. Logan, by Mrs. A. S. Caldwell; Richard Yates, War Governor of Illinois, an address delivered in October, 1923, by his son, Richard Yates, member of Congress; and an address by Norma L. Jones on John M. Palmer. In the volume is found also a reprint of William J. Johnston's *Sketches of the History of Stephenson County, Illinois* (Freeport, 1854).

The late Governor Altgeld of Illinois has found a biographer in Waldo R. Browne. The volume bears the title *Altgeld of Illinois: a Record of his Life and Work* (New York, Huebsch).

Articles in the April number of the *Tennessee Historical Magazine* are: Knoxville's Old Educational Institutions, by Miss Kate White; the Cavalry at Spring Hill, by Thomas R. Hay; and the concluding installment of Dr. Albert C. Holt's study of the Economic and Social Beginnings of Tennessee.

The Michigan Historical Commission has now published the second volume (L-Z, pp. 484) of *Michigan Biographies*, giving accounts of many hundreds of Michigan officials and members of the state legislature.

The principal contents of the April number of the *Michigan History Magazine* are: the American Historian's Raw Materials, by Dr. J. Franklin Jameson, being the address delivered at the dedication of the William L. Clements Library of Americana at the University of Michigan; "Who was Who" in Michigan, 1760-1796, by L. O. W.; and the record of a journey from Detroit to Mackinac Island in 1837, taken from Mrs. Anna Jameson's *Winter Studies and Summer Rambles*.

The June number of the *Wisconsin Magazine of History* contains the following articles: Nelson Powell Hulst, "the Greatest American Authority on Iron", by Ellis B. Usher; Pioneer Life on the Menominee Iron Range, by Mrs. Nelson P. Hulst; Ole Bull and his Wisconsin Contacts, by Albert O. Barton; and Early Wisconsin Editors, by John G.

Gregory. Recollections of Life in Early Wisconsin is from the manuscript autobiography of Amherst Willoughby Kellogg (1829-1923).

The Minnesota Historical Society has acquired a mass of photostat copies of manuscripts relating to Minnesota preserved in the Bibliothèque St. Sulpice at Montreal, and of papers of the American Fur Company in New York.

Articles in the July number of the *Iowa Journal of History and Politics* are: the Location of County Seats in Iowa, by Jacob A. Swisher; Constitutional Limitations on Indebtedness in Iowa, by Carl H. Erbe; and Travelling on the Underground Railroad in Iowa, by O. A. Garretson.

The October, 1923, number of the *Annals of Iowa* contains an article by Charles J. Fulton on the Coalport Home Guards; one by C. S. Byrkit, entitled a Derailment on the Railway Invisible, an incident in the history of the "underground railroad"; and a continuation of David C. Mott's study of Iowa Political Conventions and Platforms. The number for January, 1924, contains a photographic facsimile, in about forty plates, of the constitution of Iowa, 1857, and an account of a visit to the American cemeteries in Europe.

The June number of the *Palimpsest* contains a number of brief narratives, by Bruce E. Mahan, of incidents of the Civil War on the Iowa border. Among the articles in the July number is a sketch, by William Donnel, of the Majors' War, an incident in the history of claim jumping. The August number is given over to two appreciations, by E. P. Heizer and Fred Davis, respectively, of George D. Perkins (1840-1914), editor of the *Sioux City Journal*, together with two lay sermons from the pen of Perkins.

Among the contents of the July number of the *Missouri Historical Review* are: the Founding of St. Charles and Blanchette, its Founder, by Ben L. Emmons; the Overland Mail Issue during the Fifties, by Curtis Nettels; the Diary of a Journey from Kentucky to California in 1849, by Captain J. A. Pritchard; the sixth of the papers of W. B. Stevens on the New Journalism in Missouri, and other continuations.

The Missouri State Board of Agriculture has further illustrated the history of livestock in its state by publishing, as a pamphlet of 62 pages, based on much research, *A History of Jack Stock and Mules in Missouri*, by John Ashton. Especially interesting is the story of the mule business during the World War.

William S. Red is the author of a volume entitled *The Texas Colonists and Religion, 1821-1836*, which E. L. Shettles of Austin has published.

The July number of the *Southwestern Historical Quarterly* contains a paper by Professor Charles W. Hackett on the Recognition of the Díaz Government by the United States, and a reprint, from the *Mississippi Valley Historical Review*, of Professor Eugene C. Barker's paper on the Influence of Slavery in the Colonization of Texas.

Among the contents of *Nebraska History and Record of Pioneer Days* (October–December, 1923) is a Story of Indian Fighting in 1864, by Mark M. Coad.

*The Platte Purchase*, by Dorothy Neuhoﬀ, is reprinted from the *Washington University Studies*, vol. IX.

The May number of the *Colorado Magazine* contains a narrative, by W. H. Jackson of the United States Geological Survey, of his first official visit to the cliff dwellings (1874). The July number includes a paper, by Charles S. Thomas, on the Pioneer Bar of Colorado, and one by A. J. Fynn entitled *Creating a Commonwealth*. The archaeological study by Messrs. Jeancon and Roberts, hitherto mentioned, is continued.

*The Constitutions of the Northwest States*, by John D. Hicks, appears as vol. XXIII., nos. 1 and 2, of the *University Studies*, published by the University of Nebraska. The states studied in this monograph are the Dakotas, Washington, Idaho, Montana, and Wyoming. The author sketches briefly in the first chapter the territorial system, traces the movement for statehood in each of the states under consideration, and discusses the character and trend of the several constitutional conventions. In a second chapter he sets forth in a comparative study the work of the conventions. In a third he examines the manner in which the question of education and school lands was disposed of; in a fourth, that of corporations; in a fifth, problems of labor and social legislation; and in a sixth, those of taxation and public finance. A seventh chapter is occupied with miscellaneous questions, such as suffrage, elections, local government, etc.; and an eighth with the question of admission and the correlative subject of national feeling as manifested in the West. The constitutions of these states reflect, indeed, extensive influences of local conditions, and rather long strides were taken toward direct participation of the people in their governments; nevertheless, in the opinion of the author, "the vision of these Western constitution-makers was not restricted to their own state lines. The problems which they saw and attempted to solve were the broad problems of state government".

*The Bank of North Dakota: an Experiment in Agrarian Banking* (*Columbia University Studies*, vol. CXIV., no. 1), by Alvin S. Tostlebe, Ph.D., is the result of an effort to make an unbiased study of the novel bank established by the farmer legislature of North Dakota in 1919, around which has raged "an exceedingly acrimonious political battle". The author describes the conditions under which the bank was established, relates its history, analyzes the arguments for and against it, pointing out the defects in the bank act and in the administration of the bank, whether by the one faction or the other. One general conclusion may well be set down here: "The gravest mistake that the legislators who drafted the Bank Act made was to leave so many vital decisions of policy to a politically elective body."



In the July number of the *Washington Historical Quarterly* Mr. J. O. Oliphant has a paper on Robert Moore in Oregon History, and Professor Edmond S. Meany one on Chief Patkanim, while Aaron Newell discusses the rivalry and union of the North West and Hudson's Bay Companies. Professor Meany also offers some notes on the question of Secret [governmental] Aid for Oregon Missions.

The June number of the *Oregon Historical Quarterly* contains a record of the exercises in Salem, April 19, at the dedication and unveiling of the equestrian statue, "The Circuit Rider", the gift of R. A. Booth to the state of Oregon. There is also a paper by Charles E. Lewis on the History of the Educational Activities of the Protestant Episcopal Church in Oregon, and the Journal of a Trip across the Plains in 1851, by P. V. Crawford.

The *Annual Publications*, vol. XII., pt. II. (1922), of the Historical Society of Southern California includes a paper by Robert S. Hicks on the Diplomatic Relations with Mexico during the Administration of Polk; one by Charles J. Prudhomme on Gold Discovery in California; a History of Calexico, California, by Margaret Romer; and a History of the University Section, Los Angeles, by Alverda J. Brode.

#### CANADA

The *Report of the Public Archives* of Canada for the year 1923, presented by the keeper of the public records, Dr. Arthur G. Doughty, is a substantial volume of 410, 70, and 25 pages, of which the largest portion concerns the Durham Papers, received by the archives in 1907 and 1923. These illustrate in the fullest manner that very important episode in Canadian history, the mission of Lord Durham in 1838. Some 200 pages calendar these numerous documents. Nearly 200 more are occupied by eight of the most important of them, printed *in extenso*, the most interesting being a history of the mission in 1840 by Charles Buller, Lord Durham's secretary. Another appendix calendars the Bourlamaque Collection, comprising the papers preserved by Brigadier Bourlamaque, third in command in Canada during the years 1756-1760, to whom Montcalm wrote with freedom and confidence. There are 150 letters of Montcalm, 113 of Vaudreuil, and 9 of Levis. The Archives have also published (no. II of their *Publications*) *The Voyages of Jacques Cartier*, from the originals, with translations, notes, and appendixes, by Henry P. Biggar (pp. xiv, 330).

#### AMERICA, SOUTH OF THE UNITED STATES

Encouraged by the reception accorded to the first volume of his international review of Mexican archaeology, ethnography, prehistory, etc., *México Antiguo*, Professor Hermann Beyer, of the Facultad de Altos

Estudios (Apartado 8302, Mexico, D.F.), invites subscriptions to a second volume, similarly rich in valuable contributions, in Spanish and English. Vol. I. is already out of print.

Count Corti (Egon Caesar Conte Corti) publishes *Maximilian und Charlotte von Mexico, nach dem bisher unveröffentlichten Geheimarchiv des Kaisers Maximilian und sonstigen unbekannten Quellen* (Vienna, Amalthea-Verlag).

*Pancho Villa: una Vida de Romance y de Tragedia*, by Teodoro Torres, jr., is put out by Ignacio E. Lozano, San Antonio, Tex.

The Cuban *Boletín del Archivo Nacional*, XXII., the volume for 1923, contains many documents concerning three of the attempts toward Cuban independence, those of 1823, 1830 ("Aquila Negra"), and 1895, interesting contributions to a history of the periodical press, an *expediente* on the work of the Junta de Población, and a calendar of *reales órdenes* for 1786-1788.

The Third Pan-American Scientific Congress, which is to meet at Lima in December, beginning December 20, will have as one of its nine sections a section for the anthropology, archaeology, and history of America in general and of Peru, presided over by Dr. Felipe de Osma, president of the Instituto Histórico del Perú. The hundredth anniversary of the battle of Ayacucho will be appropriately celebrated.

The Academia Americana de la Historia and its president, Dr. Nicanor Sarmiento, of Buenos Aires, are making large preparations for an International Congress of the History and Geography of America, to be held in that city this month, beginning on October 12. All portions and aspects of the history of the continent are embraced in the programme of the sessions.

The Argentine government has published, and distributes, vols. II. and III. of *Gobernantes del Perú* and vol. II. of *La Audiencia de Charcas*, collections of documents from the archives of Spain prepared by Don Roberto Levillier, at present Argentine minister in Peru.

Noteworthy articles in periodicals: W. Roughead, "Indian Peter" [Peter Williamson] (*Juridical Review*, March); J. H. Latané, *Jefferson's Influence on American Foreign Policy* (*University of Virginia Alumni Bulletin*, July); H. V. Ames, *The Amending Provision of the Federal Constitution in Practice* (*Proceedings of the American Philosophical Society*, LXIII. 1); S. F. Bemis, *The United States and Lafayette*, II., III., concl. (*Daughters of the American Revolution Magazine*, July, August); L. M. Sears, *John Slidell, Forgotten Leader in a Lost Cause* (*South Atlantic Quarterly*, July); G. H. Stuart, *L'Administration Américaine aux Philippines* (*Revue des Sciences Politiques*, April-June);

G. Goyau, *Les Origines Religieuses de Canada*, IV. (Revue des Deux Mondes, May 15); Carlos Pereira, *La Géographie des Conquistadors* (Revue de l'Amérique Latine, April 1); Lodovico Frati, *Samuele Champlain e il Suo Viaggio nelle Indie Occidentali* (Nuova Antologia, July 1); Louis Morpeau, *Notes Bibliographiques, Haïti [1904-1924]* (Revue Historique, July).